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Canada Royal Commission
on pilotage

Hearings 1963

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ROYAL COMMISSION

ON

30
PILOTAGE

HEARINGS

HELD AT

Quebec City

VOLUME No.:

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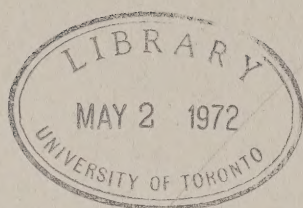
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ROYAL COMMISSION ON MARINE PILOTAGE

Proceedings of the Hearing held at
the Courthouse, Quebec City, Quebec,
on the 25th day of July, 1963.

COMMISSION:

The Honourable Mr. Justice Bernier	Chairman
Robert K. Smith, Esq., Q.C.	Member
Harold A. Renwick, Esq.	Member
Mr. Gilbert Nadeau	Secretary

COMMISSION COUNSEL:

Mr. Maurice Jacques	
Mr. Leopold Langlois, Q.C. -	for the Canadian Merchant Service Guild

PRESENT:

Mr. J. Brisset	for the Shipping Federation of Canada
Mr. J.M. Jacques	for the National Harbours Board
Mr. J. Mahoney } Mr. C. Mason }	for the Dominion Marine Association
Mr. Marc Lalonde	for the Federation of St. Lawrence River Pilots; Corpora- tion of the Lower St. Lawrence Pilots; the Corporation of Mid-St. Lawrence Pilots; the Corporation of the Montreal Harbour Pilots; the Corpora- tion of the St. Lawrence River and Seaway Pilots; the Corpora- tion of the Upper St. Lawrence Pilots
Captain J.S. Scott	Technical Advisor to the Commission
Captain F.S. Slocombe	for the Department of Transport and Liaison Officer



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1 FRENCH:

2

3 --- Upon commencing at 10.00 a.m.

4

5 MR. ARMAND LESSARD, Sworn

6

7 DIRECT EXAMINATION BY MR. JACQUES:

8

9 Q. Mr. Lessard, following the testimony
10 you gave yesterday, in exhibit 590, you gave us the number
11 of pilots who have been received during the year 1959.
12 Now, does this document also indicate the number of pilots
13 who have deceased or who have retired?

14 A. Yes, sir.

15 Q. Could you tell us how many have ceased
16 to act as pilots for any reason whatsoever in 1959?

17 A. Two.

18 Q. So nine pilots have been received and
19 two have ceased to act as pilots. The net increase has
20 been seven pilots?

21 A. Yes.

22 Q. Does this document also give the pilots
23 who were absent during the navigation season for any
24 reason whatsoever?

25 A. Yes, sir.

26 Q. Could you give us the information which
27 we can find in this document?

28 A. Seven have been sick part of the year.

29 Q. Does the document show the number of days
30 of sickness?



1 FRENCH:

2 A. No.

3 Q. The document only shows the number of
4 trips which they have made?

5 A. Yes, sir.

6 Q. And if they have been sick?

7 A. Yes.

8 Q. Does the document show the pilots whose
9 licence has been suspended?

10 A. Yes, sir.

11 Q. How many had their licences suspended in
12 1959?

13 A. Two.

14 Q. Two pilots. Is the length of the sus-
15 pension indicated on this document?

16 A. One four months and the other since
17 August.

18 Q. And the other ----?

19 A. Four months also, three and a half months.

20 Q. Now, this document, this form rather,
21 do you fill it in for years prior to 1959?

22 A. Yes, sir.

23 Q. Thank you, sir.

24

25 CROSS-EXAMINATION BY MR. BRISSET:

26

27 Q. Mr. Lessard, the document also shows
28 that one pilot has deceased during the season?

29 A. Yes.

30 Q. On October 29th, 1959?



1 FRENCH:

2 A. Yes, sir.

3 THE CHAIRMAN: To come back to exhibit 589,
4 on the item "aggregate number of trips", you have mention-
5 ed yesterday that this was pilotage accounts, bills?

6 THE WITNESS: Yes, sir.

7 THE CHAIRMAN: Now, just for further clarifi-
8 cation, I would like to know if this includes the bills
9 which you may have sent for cancellation?

10 THE WITNESS: No, sir.

11 THE CHAIRMAN: Does this include the bills
12 which you may have sent for the item "without pilots"?

13 THE WITNESS: No, sir.

14 THE CHAIRMAN: Now, exhibit 590, when you said
15 yesterday that this document was prepared by yourself and
16 sent to Ottawa, you have also mentioned that probably it
17 was sent to the Shipping Federation. Did you send it to
18 the Shipping Federation?

19 THE WITNESS: No, the Montreal Superintendent.

20 THE CHAIRMAN: Do you know if he has sent it
21 to other parties also?

22 THE WITNESS: I couldn't tell you.

23 THE CHAIRMAN: So it could have been sent to
24 other persons by your superiors?

25 THE WITNESS: Yes, sir.

26 THE CHAIRMAN: I see on this document that
27 there are amounts which are indicated under the name of
28 each pilot for gross earnings for pilotage, gross earnings
29 for movages and another column amount paid to pension
30 fund and the net amount on the other side.



1 FRENCH:

2 Now, the last figure, in total, the net amount,
3 were those cheques made and sent to each pilot individu-
4 ally?

5 THE WITNESS: No, sir. To the Pilots'
6 Association.

7 THE CHAIRMAN: For the total amount which we
8 see at the bottom of the sheet here, the cheque was made
9 to the amount of this total and was sent to the Pilotage
10 Association?

11 THE WITNESS: Several cheques. Every two weeks
12 we sent a cheque to the Association.

13 THE CHAIRMAN: So you cannot say for a pilot,
14 an individual pilot, if as a matter of fact he has re-
15 ceived the amount which is indicated in the last column?

16 THE WITNESS: No, sir.

17 THE CHAIRMAN: This is the amount which he
18 would have received if you had made the distribution
19 directly to the pilots?

20 THE WITNESS: Yes, sir.

21

22 RE-EXAMINATION BY MR. JACQUES:

23

24 Q. In other words, it is the pilotage
25 which the pilot has earned during the year. Now, in this
26 document are cancellations and detentions included?

27 A. The cancellations and detentions are
28 included under the item "movage".

29 Q. Now, on exhibit 589, under the item
30 "meal allowance", in 1961 and during the previous years



1 FRENCH:

2 this item represented more than \$6,000.00, \$6,700.00, and
3 in 1962, this went down to \$3,294.00. Can you explain
4 this reduction?

5 A. Because the Department has stopped
6 paying meal allowance during the course of the year. I
7 think it was the beginning of July.

8 Q. Thank you. That is all, Mr. Lessard,
9 thank you.

10 -----

11

12 EMILIO VEZINA, sworn

13

14 DIRECT EXAMINATION BY MR. JACQUES:

15

16 Q. Mr. Vezina, would you please sit down
17 and give your full name?

18 A. Emilio Vezina.

19 Q. Your age?

20 A. Fifty-four.

21 Q. Your profession?

22 A. Pilot.

23 Q. I understand that you have come here
24 not as a pilot but in order to represent one of the
25 companies which has the boat service here in Quebec?

26 A. Yes.

27 Q. Could you give us the name of that
28 company?

29 A. Sam Vezina Registered.

30 Q. Do you have with you the Act of



1 FRENCH:

2 Incorporation of that company?

3 A. Yes, I have it.

4 Q. Would you show it to us, please?

5 I have here two Acts of Registration, one
6 dated June 27th, 1945, made by Mr. Andre Vezina, it
7 mentions to act as a boatman under the name of Sam Vezina
8 Registered, and undertaking he is the only one in busin-
9 ess under this name. This is a declaration which was
10 produced before the Notary of the Superior Court here
11 in Quebec on June 27th, 1945, and it was registered.
12 There is no folio number, my lord.

13 I have a second registration made by Mrs.
14 Madeline Nadeau, widow of Mr. Andre Vezina, who declares
15 she is running a business as boatman under the name of
16 Sam Vezina Registered, and saying she is the only one in
17 the business under this name. This was registered in
18 August 21st, 1962, here in Quebec.

19 Could you tell us if Mrs. Nadeau, Madeline
20 Nadeau had any kind of relation with Mr. Andre Vezina?

21 A. Mr. Andre Vezina was her husband.

22 Q. Now then, she is a widow? She goes on
23 with her husband's business?

24 A. Yes, sir.

25 Q. Could you tell us how many boats you
26 have in this business?

27 A. We have two.

28 Q. Could you personally describe them, the
29 tonnage and length?

30 A. The Pierre Vezina, thirty feet, nine



1 FRENCH:

2 feet width, I think, and the tonnage is forty tons to
3 forty-six net.

4 Q. And what is the value in the books of
5 the Corporation of this boat?

6 A. The value after depreciation varies
7 between \$2,000.00 and \$2,500.00.

8 Q. And the value of replacement?

9 A. About \$15,000.00.

10 Q. And is this an open boat or is there a
11 cabin?

12 A. Half a boat has a cabin which is open in
13 the back.

14 Q. How old is this boat?

15 A. It was launched in 1955.

16 Q. And has it operated since that date?

17 A. Yes, it has been in operation since that
18 date.

19 Q. Your lordship, I have here a permit from
20 the Department of Transport, Number 320 for the boat which
21 we are talking about. This licence was delivered here in
22 Quebec by the Maritime Registrar on July 27th, 1955.

23 Would you have another boat?

24 A. We have the Sam Vezina.

25 Q. And what are the dimensions?

26 A. The dimensions are about the same, thirty
27 feet by ten feet.

28 Q. What is the registered tonnage?

29 A. Thirty-eight, according to the certificate.

30 Q. And how old is that boat?



1 FRENCH:

2 A. This boat was launched in 1960.

3 Q. What is its value after depreciation?

4 A. A little less than the other. I have
5 this here somewhere. \$2,500.00 after depreciation. The
6 value for replacement \$15,000.00 also. This is a boat
7 which was launched in 1960.

8 Q. This certainly has depreciated very
9 quickly.

10 A. Well, according to the figures which I
11 have here ----

12 Q. Now, this sum of \$2,500.00, would that
13 be the amount of the depreciation or the value of the boat
14 after depreciation?

15 A. The value is \$12,000.00, and depreciation
16 \$2,500.00.

17 Q. It's better that way. \$2,500.00 is the
18 depreciation, your lordship. The licence was issued for
19 the boat here in Quebec on April 20th, 1960, 13D1676 is
20 the permit number.

21 Could you explain how this business is run here
22 in Quebec?

23 A. Well, we have two boatmen companies here,
24 as you know. Each one individually works for different
25 companies which are assigned to him by writing to these
26 companies asking for work. This is how we get work from
27 these companies.

28 Q. Each handling ships of given companies.
29 Now, how are the relations between the two companies?

30 A. Pretty good.



1 FRENCH:

2 Q. Pretty good? What is wrong?

3 A. Well, we can't say that things are going
4 bad, but there may be something sometimes that others
5 complain about; the fact that we have too much work
6 compared with the work they have, and might be some means
7 which they use to try to get into our company, which we
8 don't like.

9 Q. Could you try to describe for us these
10 ways and means which they would utilize to take customers
11 away from you?

12 A. It did not happen often, but it happens
13 sometimes that they have sent bills to ships of our
14 companies. Things which we don't do.

15 Q. Is this the only example which you would
16 think to give to us?

17 A. Well, this is an example which is worth
18 mentioning, I think.

19 Q. Would there be any other examples?

20 A. Might have been other things. Of course,
21 I am not there all the time. I represent Mrs. Vezina.
22 There might be some other things but I cannot be much
23 aware of the situation.

24 Q. Now, do you know if this is frequent,
25 the fact of sending bills to your company?

26 A. It has happened sometimes.

27 Q. When?

28 A. This year.

29 Q. Last year did you have such cases?

30 A. There has been some last year, yes.



1 FRENCH:

2 Q. How many this year?

3 A. I have heard of three or four this year.

4 Q. And last year?

5 A. Well, maybe the same.

6 Q. Now, as a consequence of this would you
7 have lost customers?

8 A. We have lost two customers which we have
9 recovered since.

10 Q. You have lost them for how long a period?

11 A. For relatively short periods. Maybe
12 the beginning of the year, maybe a month for one case.
13 The other one we got the customer back right away.

14 Q. And this took place this year?

15 A. Yes.

16 Q. Now, do you pay any kind of fees for the
17 utilization of the dock where you tie your boats?

18 A. Well, we don't pay for the utilization
19 of the dock. We pay a fee to the Harbour Commission.

20 Q. Yes, and I think that you also have an
21 office on the dock near the pilotage station?

22 A. Yes, we have an office.

23 Q. This building, does it belong to Mrs.

24 Vezina?

25 A. Yes.

26 Q. Do you pay any kind of rent for the
27 utilization of the land?

28 A. I don't think that we pay any rent because
29 this is an agreement which was made a long time ago since
30 we moved there on this new pier, and this is an understand-



1 FRENCH:

2 ing which makes it possible for us to stay there.

3 Q. Now, you said that you moved there.

4 Where were you before, and when did you move?

5 A. Oh, this was several years ago. More
6 than thirty years. We were at Dalhousie Street, the
7 pilotage office was at the former office of the Canada
8 Steamship and the dock was very close to the former Levis
9 Ferry Boat.

10 Q. How many employees do you have for this
11 service?

12 A. On the boats we have six employees.
13 Altogether we have ten employees.

14 Q. Six for the boats and the other four ---?

15 A. For the office work.

16 Q. Now, your employees aboard the boats do
17 they have any kind of certificates?

18 A. Two have temporary master's certificates
19 up to forty tons.

20 Q. Do you have these certificates with you?

21 A. Yes.

22 Q. In the first case, your lordship, this
23 is Joseph Jean Charles Lavoie, 7098 18,4,1963, expiring
24 one year later. This permit is limited between the
25 bridge of Quebec and the eastern point of Port of Orleans.

26 The second one, Joseph Francois Georges Henr
27 Lamontagne, permit number 6935 14,3,1963, and expiring
28 3,3,1964, for service between the bridge of Quebec and
29 the western point of Port of Orleans.

30 In both cases, those are licences for steamship



1 FRENCH:

2 vessels, numbering forty tons, transporting the number of
3 passengers indicated on the registration of the ship, but
4 never more than the forty.

5 Now, did you obtain a permit for transportation
6 of passengers for your two boats?

7 A. Well, we have a permit for transporting
8 of passengers from the Public Service Boat.

9 Q. Would you have one from the Ships
10 Inspection Department?

11 A. We are inspected by the R.C.M.P.

12 Q. Do you have a certificate indicating
13 the number of passengers which you can transport in a
14 boat?

15 A. They don't give us a certificate for
16 this kind of boat. They don't tell us how many persons
17 we should transport and if the boat is not in condition,
18 they give us a paper to tell us what to do, to put the
19 boat in condition. This is the only case in which they
20 give any kind of document.

21 Q. You have no written document indicating
22 the maximum number of passengers which you can transport?

23 A. We have from the Transport Board.

24 Q. I am talking about the Federal Govern-
25 ment or any Federal Department?

26 A. No. From the R.C.M.P., no.

27 Q. Could you show me your permit from the
28 Transport Board?

29 Your lordship, this is licence 5N July 5th,
30 1957, under the name of Mrs. Vezina, Madeline Nadeau



1 FRENCH:

2 Vezina, registered, now working under the name Sam

3 Vezina Registered, and this covers the two boats.

4 Could you explain which boats are covered in
5 this permit?

6 A. It says service with yachts.

7 Q. With an "s"?

8 A. Yes.

9 Q. And the permit includes the mention that
10 it is issued for two boats and it covers the service with
11 yachts in the St. Lawrence River in front of the City of
12 Quebec for the transportation of pilots and any other
13 service for coast and ocean-going ships, as well as tying
14 and untying of ships at docks in the Harbour of Quebec.

15 The hourly rate which is authorized is attached
16 as Annex A and this permit limits the load capacity to
17 two tons, or twenty passengers. How much do you charge
18 to transport pilots?

19 A. \$10.00.

20 Q. Does this include the return trip?

21 A. Yes. To take them and bring them back.

22 Q. So when you take a pilot aboard at Quebec
23 Three Rivers, a pilot aboard the ship and take off the
24 pilot at Les Escoumains Quebec, how much do you charge?

25 A. Well, this is the return trip so it is
26 \$10.00.

27 Q. So it is not by number of pilots?

28 A. No.

29 Q. Now, if you serve more than one ship in
30 the same trip, how much do you charge?



1 FRENCH:

2 A. \$10.00 per trip.

3 Q. Could you produce for the Commission the
4 rates which are annexed to your permit issued by the
5 Transport Board? I would like to produce, your lordship,
6 the rates of the company Sam Vezina Registered under
7 exhibit number 591.

8
9 --- Exhibit No. 591: Hourly rates of Sam
10 Vezina Registered.

11
12 MR. JACQUES: Your lordship, I would like also
13 to produce the permit of Sam Vezina and if my colleagues
14 agree, I will deposit a photo copy of the original under
15 exhibit number 592 with the scale. We will have a copy
16 made at the office at noon.

17 --- Exhibit No. 592: Permit of Sam Vezina
18 Registered.

19
20 Q. Do you have any insurance on your boats?

21 A. Yes, they are covered by insurance.

22 Q. Could you tell us the amount of insurance
23 which covers these boats?

24 A. We have insurance for each boat.

25 Q. It covers what?

26 A. I covers the eventual loss of each boat
27 up to \$8,000.00.

28 Q. So each one is insured for \$8,000.00?

29 A. Yes, right.

30 Q. Do you have any kind of insurance cover-



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TORONTO, ONTARIO

Vezina dr ex
(Jacques)

6-11-66

1 FRENCH:

2 ing employees, management responsibility?

3 A. Yes.

4 Q. What is the coverage you have for lia-
5 bility?

6 A. \$100,000.00.

7 Q. Have you covered your liability for
8 damages to ships, other ships and other boats and the
9 passengers you carry?

10 A. Yes.

11 Q. Do you have your insurance policies?

12 A. This is damage to other ships. That
13 would be on the other.

14 Q. Do you cover injuries to the passengers
15 which you carry?

16 A. Yes, we do.

17 Q. What are these limits?

18 A. \$50.00 to \$100,000.00, and we also have
19 a \$5,000.00 damage policy, property damage.

20 Q. Do you have that insurance?

21 A. This insurance here, it is for the shed
22 on the pier.

23 Q. What is the coverage?

24 A. \$2,600.00.

25 Q. Does it represent the value of this shed?

26 A. Maybe not quite including what we keep
27 in it, but it covers a good percentage of it.

28 Q. Have there been any comments made by the
29 pilots on your service?

30 A. On our good service, yes.



1 FRENCH:

2 Q. What about your bad service?

3 A. Not often.

4 Q. Will you please tell us about it?

5 A. The service is almost perfect and we
6 can't get any bad comments. Our men are there twenty-
7 four hours a day. Always somebody there even to answer
8 the telephone so they can't be short on boats.

9 Q. Can you tell us how the pilots go about
10 getting your boats?

11 A. They send the E.T.A. to the pilots'
12 office and we have a man who is on duty twenty-four hours
13 of the day at the pilot office. We also have a televox
14 system from the pilot office to our building to see if
15 there is something urgent, and they go in that case and
16 communicate with us.

17 Q. Now, what is the distance from your
18 office to the pilot office?

19 A. About a hundred and twenty-five feet.

20 Q. And is there someone at your office
21 twenty-four hours a day?

22 A. Yes, we have somebody on duty twenty-
23 four hours a day.

24 Q. Does it happen that you can't give the
25 service required?

26 A. No, it has never happened, because we
27 always have there someone twenty-four hours a day.

28 Q. You have only two boats?

29 A. Well, there is one --- if, for instance,
30 we need another boat when one is gone, the men who were



1 FRENCH:

2 not on duty will be called and they go out with the other
3 boat and will pay overtime..

4 Q. Now, the men who are not on duty, where
5 are they?

6 A. They are at home. We can always get in
7 touch with them.

8 Q. How long does it take to get in touch
9 with them?

10 A. About five minutes.

11 Q. Where do they live?

12 A. On Champlain Street, along Champlain
13 Street.

14 Q. You also tie your ships with boats. Now,
15 if your boat is occupied by tying a ship, and a ship wants
16 another pilot, what happens?

17 A. Well, in such a case we use our second
18 boat with a second crew. We always have a crew in the
19 boat available.

20 Q. Does it happen that you have to use both
21 boats at the same time?

22 A. No. It doesn't happen very often but
23 it happens once in a while when they have to dock boats
24 at Irving Island and and the crew goes on
25 duty, remains in Quebec to change pilot boats.

26 Q. Thank you very much. Now, for the
27 insurance policy, I would like to study them and then
28 declare to the court what they contain, briefly. Are
29 you concerned with the air-sea rescue service here in
30 Quebec?



1 FRENCH:

2 A. We occupy ourselves a bit with this
3 service.

4 Q. To what degree? To what extent?

5 A. Not very much, because we are often busy,
6 but a little.

7 Q. Please tell us the cases when you engage
8 in rescue service? This year, for instance?

9 A. This year I don't think we did any.
10 They went to the Island when the boat, two years
11 ago, and I think the name of the ship, the Ross, I don't
12 remember the first name, it was a German ship who had
13 a collision, the Wolfgang Ross, so they went there and
14 they waited.

15 Q. They went there. Did they do any rescue
16 work really?

17 A. No, I don't think they did actual rescue
18 work but they went there.

19 Q. Now, have you been requisitioned by
20 the Government authorities to do air-sea rescue service?

21 A. No.

22 Q. Thank you.

23

24 CROSS-EXAMINATION BY MR. LALONDE:

25

26 Q. Mr. Vezina, you mentioned that you were
27 a pilot in the Montreal District?

28 A. Yes, sir.

29 Q. And is it not true that you practice
30 between Three Rivers and Montreal?



1 FRENCH:

2 A. No. It is from Three Rivers to Quebec.

3 Q. Have you got a personal interest in the
4 Vezina Enterprise?

5 A. The only interest I have is to help my
6 sister-in-law.

7 Q. You don't have any? You are not paid?
8 You do not have any share in the profits of that company?

9 A. No.

10 Q. Thank you.

11

12 CROSS-EXAMINATION BY MR. LANGLOIS:

13

14 Q. Mr. Vezina, is your service given twenty-
15 four hours a day?

16 A. Yes.

17 Q. Is that the case for your competitor?

18 A. It is difficult to answer. I know ours
19 is twenty-four hours a day. Theirs, maybe yes, maybe no.

20 Q. Could you give us some figures on the
21 proportion of work done by your enterprise in relation
22 to the other competitor?

23 A. We have about seventy-five per cent of
24 the business.

25 Q. I understand that your enterprise existed
26 for several generations?

27 A. Since four generations.

28 Q. Thank you.

29

30



1 ENGLISH:

2

3 CROSS-EXAMINATION BY MR. MAHONEY:

4

5 Q. Mr. Vezina, you said that you make a
6 charge of \$10.00 for a return trip for pilots. Is that
7 correct?

8 A. Yes, that is correct.

9 Q. Now, yesterday we have heard that on
10 some occasions ships going into the St. Charles Estuary
11 anchored to await the tide and in those cases there are
12 occasions when the river pilot leaves the ship and the
13 ship does not come into dock for some hours. Do you know
14 about this?

15 A. Yes.

16 Q. On those occasions you may take the pilot
17 off the ship, and then later bring the docking pilot
18 aboard the ship. Is that correct?

19 A. If we are called to take a pilot off,
20 we do take him off and then we go back with the other
21 pilot when the ship is ready to dock.

22 Q. And is there a single charge of \$10.00
23 made for that or is it two charges?

24 A. Two charges.

25 Q. Thank you.

26

27

28

29

30



1 FRENCH:

2

3 CROSS-EXAMINATION BY MR. BRISSET:

4

5 Q. Mr. Vezina, does it happen often that you
6 have to do this change of pilots?

7 A. It happens sometimes, depends on the tide.

8 Q. Does it happen every day?

9 A. No, not every day. It depends on the
10 state of the tide.

11 Q. Every week would you say?

12 A. Yes.

13 Q. Several times a week?

14 A. Might happen several times a week. If
15 the tide is not appropriate, might happen several times.

16 Q. Is it usually a Three Rivers pilot who
17 is replaced rather than a pilot of the upgoing ship?

18 A. Usually the pilot from Three Rivers, yes.

19

20 RE-EXAMINATION BY MR. JACQUES:

21

22 Q. My colleague has said that sometimes you
23 assign a ship that did not belong to you. In that case,
24 you did not send any account in. It was the other one
25 who sent the account in? Is that exact?

26 A. The agreement was along those lines.

27 Q. Is that a written agreement?

28 A. There used to be a written agreement
29 when my brother was living. There was one.

30 Q. What happened to this written agreement?



1 FRENCH:

2 A. I think we have been accused sometimes.

3 Q. Does the document still exist?

4 A. I think so.

5 Q. Could you look in your files and see if
6 you can find this document?

7 A. I could look for it but I don't know if
8 I have it here. I don't think so. I don't think I have
9 it.

10 Q. Could you please look for it and give it
11 to Mr. Langlois.

12 You said that this agreement has been broken.
13 What do you mean by that?

14 A. It has happened that accounts have been
15 sent to our company for ships that we were supposed to
16 service.

17 Q. In that case who was paid?

18 A. In some cases the other boatmen were
19 paid but some companies did not want to pay and wrote to
20 us about it.

21 Q. When the other boatmen were paid did you
22 get paid for the amount which you were supposed to re-
23 ceive?

24 A. No.

25 Q. What happened at the end of the year?
26 Do you lose money at the end of the year or do you receive
27 money for services you had not rendered?

28 A. Well, to give you an idea of this year.
29 This year the other boatmen they have done thirty trips
30 by air which did not belong to us. He has done possibly



1 FRENCH:

2 ours, eighteen.

3 Q. And at the end of the year do you sort
4 of balance your accounts or something?

5 A. No. In our case we do not send out
6 accounts for ships. We do for the others, so we do not
7 receive any money for it.

8 Q. So up to date you are twelve trips short.
9 The cost of operation for one ship is how much?

10 A. I would have to calculate that, how much
11 the men earn. I cannot tell you. I cannot answer you
12 exactly this question.

13 Q. Are your employees members of some trade
14 union?

15 A. No, I don't think so.

16 Q. Thank you.

17

18 CROSS-EXAMINATION BY MR. LANGLOIS:

19

20 Q. Mr. Vezina, to clarify your answer to
21 Mr. Jacques about assigning these ships you have done for
22 which you are not paid at all, am I to understand when
23 you do a trip for a company who is not your client, that
24 that company is billed not by you but by your competitor?

25 A. Usually we tell our competitor that this
26 ship belongs to him and it is up to him to send the bill.

27 Q. I understand that the claim you have
28 that that doesn't happen the other way around, that your
29 competitor has a ship that belongs to you and he does the
30 billing himself?



1 FRENCH:

2 A. This has happened.

3 THE CHAIRMAN: Another question, to clarify the
4 matter. You have told us that each boatman has his own
5 customers amongst the companies going up the river. In
6 order to know that the ship coming up is one of yours, do
7 you check on the E.T.A. at the pilots' office?

8 THE WITNESS: No, we check on the Gazette
9 and there are some companies who send us a list of ships
10 belonging to them.

11 THE CHAIRMAN: So you check on the information
12 necessary to find out what ships are coming, to find out
13 if it is a customer of yours or not. Now, you see a ship
14 is coming, and if there is some doubt and it happens that
15 it is not one of your customers, in that case will you
16 do the trip just the same?

17 THE WITNESS: In order not to delay the boat,
18 we do the trip just the same.

19 THE CHAIRMAN: But you inform your colleagues
20 that H will send the account?

21 THE WITNESS: Yes.

22 THE CHAIRMAN: This is to help out in the
23 navigation. Now, what happens when a ship is not a
24 customer of either companies?

25 THE WITNESS: Well, this really can't happen
26 because they all have an agent in Montreal. You have
27 to have somebody to look after their business in Montreal
28 so, they have an agent.

29 THE CHAIRMAN: Your customers are always the
30 agents or ----



1 FRENCH:

2 THE WITNESS: Either agents or ship owners
3 themselves.

4 THE CHAIRMAN: This sort of pier that you use,
5 do you share it with the other boatmen?

6 THE WITNESS: Yes, sir.

7 THE CHAIRMAN: Your dock. You have four boats
8 for launching on this particular pier?

9 THE WITNESS: We have two launches on this
10 pier. Well, we have two, one on each side and two are
11 set aside.

12 THE CHAIRMAN: To whom does the pier belong?

13 THE WITNESS: It belongs to the Federal Govern-
14 ment.

15 THE CHAIRMAN: So there is no difficulty in
16 using this pier?

17 THE WITNESS: No, sir.

18 THE CHAIRMAN: You mentioned a while ago that
19 there were inspections by the R.C.M.P. concerning repairs
20 which are to be made to your ships and when one considers
21 there must be repairs that should be made, you are given
22 a list. After this list you have to make a report, I
23 understand?

24 THE WITNESS: The inspector comes back and we
25 can't --- and checks them. We can't get the boat out
26 until the repairs have been done.

27 THE CHAIRMAN: And when the repair has been
28 done, you don't get a certificate?

29 THE WITNESS: No.

30 THE CHAIRMAN: Very well.



1 FRENCH:

2 MR. LANGLOIS: With your permission, my lord,
3 my client, Mrs. Vezina, has given me some information
4 that I would like to check.

5 Q. Is it not true that you share the custo-
6 mers from the same company and the same agents?

7 A. Yes, there are some companies where half
8 and half, not too many of them, but there are some.

9 Q. Could you please give us examples?

10 A. Canadian Pacific, we do their ships for
11 quite a number of years.

12 Q. How do you do this sort of tour?

13 A. Well, we take each ship coming up and we
14 do the same one as it goes down and then the other boat-
15 man does the second ship coming up river.

16 Q. So once the ship has gone up the river,
17 it is still your ship when going down. Let us follow a
18 case of a single agent representing several ship owners.
19 How do you go about it?

20 A. Be very difficult to work with an agent
21 who has so many, too many ships. Be difficult to work
22 that way.

23 Q. So how do you go about it when an agent
24 has several ship owners? Do you take turns?

25 A. We couldn't do that, if they were agents
26 who had a lot of ships, because we would never know to
27 whom the ship belongs. I don't think there are many agents
28 who have two boatmen.

29 Q. Do you receive instructions in serving
30 a ship from the agent himself?



1 FRENCH:

2 A. Yes, that happens quite often.

3 Q. Now, concerning the inspection of your
4 launches, I understand that rescue equipment is checked
5 regularly by the R.C.M.P.?

6 A. That is true.

7 Q. Could you say how much equipment, for
8 how many persons do you have on your launch?

9 A. We have enough equipment for twenty
10 persons to use the launch and we have even more than we
11 should.

12 Q. Does the R.C.M.P., when they check your
13 ship, ask the number of persons that you can carry accord-
14 ing to your transport licence?

15 A. They have never asked us to carry less
16 or more than what the Transport Board has allowed us.

17 Q. But do they tell you what is the
18 maximum?

19 A. No, never heard it.

20 Q. How do you establish the number of life
21 belts that you are supposed to have? Life jackets that
22 you are supposed to have on your boats?

23 A. Well, that is according to the number of
24 passengers that we can carry. Since they don't indicate
25 how many we can carry, I don't see how they can proceed,
26 but as I have said, we have more than what is allowed
27 far as passengers are concerned.

28 Q. Could you please tell us, for instance,
29 how many life jackets you have on each of your launches?

30 A. I am not in a position to tell you exactly



1 FRENCH:

2 the exact figure.

3 Q. Could you give us an idea, an approximate
4 idea?

5 A. It must be between twenty-three and
6 twenty-five. I am not sure. Twenty-three per launch
7 because each launch goes out twenty-four hours and you are
8 tied up for twenty-four hours. One launch doesn't work
9 all the time.

10 Q. You have only one launch in service at a
11 time? One launch one day and one the other?

12 A. Yes, sir.

13 Q. Now, for the other rescue equipment you
14 comply with the requirements of the R.C.M.P. for each
15 launch?

16 A. Yes, we have everything that they have
17 asked.

18 Q. Could we have the information concerning
19 the number of life belts that you have on each of your
20 launches and let us know?

21 A. Yes, sir, we can certainly obtain that
22 information.

23

24 RE-EXAMINATION BY MR. JACQUES:

25

26 Q. Would you object if the whole system
27 would be organized in Quebec where your two services ---
28 each one would do his turn and as the ship comes up or
29 goes down?

30

A. I am sure we would object.



1 FRENCH:

2 Q. What is the objection?

3 A. Well, the objection is that there would
4 be a great sacrifice done because we would sacrifice
5 twenty-five per cent of our work and it would be great
6 confusion. Nobody would understand anything.

7 Q. Why?

8 A. Because you get fifteen or twenty ships
9 within three or four hours, it would be very difficult
10 to figure out whose turn it is. Sometimes we can do four
11 or five ships at the same time during the same trip.

12 Q. Thank you.

13 THE CHAIRMAN: Any other questions of the
14 witness? All right, Mr. Vezina.

15 If Mr. Lessard is still in the room, I should
16 like to ask him a few questions. This probably was said
17 yesterday, but I am not quite sure and would like to
18 check.

19
20 ARMAND LESSARD, recalled

21
22 THE CHAIRMAN: You told us, Mr. Lessard, that
23 statistics in the exhibit 590 are no longer prepared?

24 THE WITNESS: No, sir.

25 THE CHAIRMAN: For a few years?

26 THE WITNESS: Yes, sir.

27 THE CHAIRMAN: You told us that the moneys
28 you collect, you give them to the Corporation concerned
29 twice a month?

30 THE WITNESS: Yes, sir.



1 FRENCH:

2 THE CHAIRMAN: What I want to know is do you
3 do that for a global amount? Do you give details con-
4 cerning the trips covered and the work the pilots have
5 done to date?

6 THE WITNESS: We give a global amount for two
7 weeks concerned.

8 THE CHAIRMAN: Without any other detail?

9 THE WITNESS: Without any other detail. Ninety
10 per cent of the collections are for what has been collec-
11 ted to that date.

12 THE CHAIRMAN: What I want to know is with the
13 reports you make, it is possible for the pilots to know
14 which amongst them has earned that money or have earned
15 that money?

16 THE WITNESS: Yes, because they have a daily
17 detailed accounting of the accounts which have been paid
18 through that period.

19 THE CHAIRMAN: And you send those details?

20 THE WITNESS: I send a copy of these details
21 to the Association.

22 THE CHAIRMAN: As you collect them?

23 THE WITNESS: No, when I have a complete sheet,
24 a normal sheet, well, I give it to the Association and
25 with this list, it is complete.

26 THE CHAIRMAN: On this list, of course, you
27 have the detail of the work done. If there has been a
28 detention, cancellation, movage, pilotage, and by whom
29 and on what date. Fine, thank you.

30



1 FRENCH

2
3 RE-EXAMINATION BY MR. JACQUES:

4
5 Q. Could you bring us a copy of this sheet
6 that you keep on your collections?

7 A. Yes, I could.

8 MR. LALONDE: Point of clarification, my lord.
9 You have mentioned that the money is given to the
10 Association. This is for the pilot's licence for the
11 Harbour.

12 MR. JACQUES: Could we have that document in
13 the afternoon?

14 THE WITNESS: Yes.

15 -----
16
17 SEVERIN LANGLOIS, sworn

18
19 DIRECT EXAMINATION BY MR. JACQUES:

20
21 Q. Please sit down, Mr. Langlois. Please
22 tell us your age and name?

23 A. Joseph Severin Langlois. Retired pilot.

24 Q. Age?

25 A. Sixty-four.

26 Q. How long have you been a pilot?

27 A. Thirty-one years as a pilot.

28 Q. And during what years?

29 A. From 1929 to 1959 inclusive.

30 Q. If you will, Mr. Langlois, could you tell



1 FRENCH:

2 how one became a pilot in 1929? What did you have to do?
3 What did you in particular have to do?

4 A. Well, to tell you the whole thing would
5 be very long because in 1929, and before, you had to be
6 the son of a pilot, practically, before you could become
7 a pilot. You couldn't be a pilot if your father hadn't
8 been a pilot.

9 Q. Will you please explain that briefly?
10 How come it was necessary to be a son of a pilot?

11 A. It was not compulsory but it was sort
12 of a custom between us and I was put aside for seven years
13 because my father was not a pilot. Then it changed a
14 bit and I managed to come in because the son of one pilot
15 missed his examinations.

16 Q. You mean you had been put aside? What
17 do you mean "had been put aside"?

18 A. Well, they have changed the regulations
19 two or three times during that time. It was always to
20 the advantage of the sons of pilots. I was the first one
21 on the list and they received seven pilots and I would be
22 the eighth one and I wasn't accepted.

23 Q. They downgraded you in other words?

24 A. Yes.

25 Q. Do you recall how that happened?

26 A. Well, that happened, the Chairman of the
27 Pilots and those who had a son who wanted to come in, and
28 I don't know how he arranged that, with whom, but I was
29 the first on the list, according to the list he had, and
30 the first thing I knew in the afternoon I learned that



1 FRENCH:

2 there were seven new pilots who had been received except
3 one who had missed his examination, and that one was not
4 replaced, and I was, and nevertheless I didn't go there.

5 Q. You had experience at sea. Will you
6 please tell us what experience you have had when you
7 started going to sea and what certificates you have?

8 A. I started going to sea in 1914 and I was
9 eleven years at sea, except a few holidays here and there
10 and then I had a certificate for first mate.

11 Q. And when did you become a pilot?

12 A. In 1925.

13 Q. And what did the apprentices do at that
14 time during their apprenticeship?

15 A. Well, they had to stay, exactly I don't
16 remember if it is twenty-four or thirty months a year, I
17 don't remember exactly, but we had to have a certain
18 number of months at sea. It was at least twenty-four
19 months and the certificate, and that is before my day,
20 to get a competency certificate as first officer for a
21 sea-going ship but this was abolished two or three months
22 before I went there and asked for a certificate of second
23 officer on the coastal ship.

24 Q. So you had to get this before you became
25 an apprentice?

26 A. No, didn't have to have it to become an
27 apprentice. You had to get this certificate to become
28 a pilot.

29 Q. So you would get the certificate while
30 you were an apprentice?



1 FRENCH:

2 A. Right.

3 Q. Did the apprentices make any trips in
4 the river?

5 A. Forty on the river and ten in the
6 Saguenay River.

7 Q. During that period was there a ship which
8 was used to train the apprentice pilots; ships doing the
9 same thing all over the place?

10 A. No. This wasn't in my time. I think it
11 was before my time the apprentices went on the ship called
12 the Druid which belonged to the Government. They have
13 a certain time aboard that ship. I don't know exactly
14 which work they did there.

15 Q. It was before your time. When you were
16 an apprentice and you made certain trips, what did you
17 do aboard the ship?

18 A. As an apprentice?

19 Q. Yes?

20 A. We slept a little bit to start with.
21 We stayed with the pilot and we asked questions to the
22 pilot. If they wanted to answer, we learned something
23 and others who did not want to answer, we asked other
24 people when we got ashore.

25 Q. Now, during the years of apprenticeship,
26 did you have to pass any kind of examination despite
27 the second officer's certificate for coastal ships?

28 A. No, not in my time.

29 Q. Now, what was the number of years it was
30 necessary as an apprentice?



1 FRENCH:

2 A. Well, we had to have seven years or more
3 because it was a question of lack of --- I could say it
4 was lack of pilots in 1928/1929. I was an apprentice
5 only for four years. I received, after four years
6 instead of the seven years which I should have lost, I
7 lost only four because the other three was of benefit to
8 me because I was received as a pilot three years ahead
9 of time.

10 Q. When you were received as a pilot,
11 considering you did not have the seven years of apprentice-
12 ship in, were you given a pilot's licence with any kind
13 of restrictions?

14 A. We had temporary pilot licences for one
15 year and it was renewed every year.

16 Q. And yours was renewed every year until
17 such time as you had a permanent licence and when you have
18 completed your seven years, four years as a temporary
19 pilot and another three years, you got your permanent
20 licence?

21 A. Yes.

22 Q. Now, in order to get your temporary
23 licence, did you have to pass an examination?

24 A. Yes, we had to pass an examination just
25 like anybody else and when the examiners were favourable,
26 we received the temporary licence.

27 Q. Now, on what subjects were you questioned
28 in this examination?

29 A. Same as today, you know, we pass in front
30 of the examiner, the Captain, and the first officer, we



1 FRENCH:

2 should know everything which the first officer should know
3 about his ship, about the same thing, and the examiner
4 had three pilots with him who were members of the jury.
5 I don't know exactly what they were doing there, and then
6 we had to go in front of the three pilots and the
7 representative of the Government who was at that time
8 the Pilot Supervisor at Father Point.

9 Q. And those pilots, would they ask any
10 questions?

11 A. Yes, sir.

12 Q. What kind of questions?

13 A. Well, dealing with the river.

14 Q. Do you remember how difficult those
15 examinations were?

16 A. Well, I can tell you about this: I was
17 asked the question, for instance, there was an examiner
18 who didn't like me too much so he asked me questions on
19 St. Marguerite Channel, which was twenty-five feet wide,
20 I suppose, at that time, not twenty-five feet depth. I
21 said twenty-five. He said don't you think there are
22 small obstructions down below?

23 I said I will go and make a sounding and
24 tell you afterwards, so at any rate the representative
25 told me to sit down and told the other guy to stop bother-
26 ing me.

27 Q. There were three pilots representing
28 Ottawa for this oral examination?

29 A. Well, three pilots from the district.

30 Q. And a representative of Ottawa from the



1 FRENCH

2 Department of Transport?

3 A. Yes.

4 Q. Who was having you take this oral examin-
5 ation?

6 A. Now either one, the first officer or the
7 captain.

8 Q. Was this originally a written examination?

9 A. A little bit of written examination,
10 more oral examination.

11 Q. And you passed this examination to
12 become a pilot?

13 A. Right.

14 Q. And every year when your licence expired,
15 did you have to go and take another examination?

16 A. No.

17 Q. When you became a permanent pilot did
18 you have to take another examination?

19 A. No.

20 Q. During your apprenticeship were you
21 paid in any way, shape or form?

22 A. Well, we started, in the beginning, to
23 have papers signed, a little small certificates indicating
24 we were apprentices aboard a ship. The captain signed
25 that and we sent that to the company. Some paid, some
26 didn't pay. I was never paid. I never got anything.

27 Q. Some companies were paying the
28 apprentices?

29 A. Very few in my time.

30 Q. I want to talk of the time when you were



1 FRENCH

2 an apprentice. Do you remember at that time what those
3 companies were paying?

4 A. It was \$10.00 for those who got something
5 per trip.

6 Q. Well, while you were an apprentice, were
7 you restrained in any way in the work which you could do
8 during your apprenticeship?

9 A. We were authorized to work somewhere
10 else, inasmuch as our trips were made, yes.

11 Q. Did you have to make your trips within
12 a limited time?

13 A. No, there was no minimum. If we hadn't
14 made --- I think that after November 20th we were not
15 accepted as apprentices. November 20th or 25th the
16 pilots did not accept us as apprentices. Today it is
17 different. It can be done at the last month. That time
18 they were afraid.

19 Q. Now, this number of trips which you had
20 to make every year, was there not a minimum and mazimum
21 number of days?

22 A. No, there were no limits.

23 Q. Were there still any sail ships during
24 your time?

25 A. No. Well, there have been a few or some
26 school ships, merchant school ships coming up, not
27 cargos.

28 Q. At that time, I think that the Association
29 of Licensed Pilots form the Harbour of Quebec and
30 downstream was already in existence. According to the



1 FRENCH

2 by-law and the contract, it would have been in force
3 since May 21, 1924?

4 A. That is right.

5 Q. Did you join the Association?

6 A. Absolutely.

7 Q. As soon as you became a temporary pilot?

8 A. Yes.

9

10

11

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1 FRENCH:

2 Q. Now, at that time were all the pilots
3 members of the Association?

4 A. During my time, yes.

5 Q. And during your time when you were a
6 pilot, do you know if the pilots were members of the
7 Association?

8 A. They always have been.

9 Q. All?

10 A. Well, before my time there were one or
11 two, when they signed the Act in 1924, 1925, withdrew for
12 a short time. Finally they entered again and I don't
6 13 remember that during my time there would have been any-
14 body who would have refused to join the Association.

15 Q. Your lordship, I will try to get a copy
16 up-to-date of the by-laws and the articles of the
17 Association of Licensed Pilots for the Corporation of
18 Quebec and Downstream and this document will be produced,
19 as we have been talking quite a bit about this Association
20 here.

21 THE CHAIRMAN: Will you give it an exhibit
22 number right away?

23 MR. JACQUES: Yes.

24

25 --- Exhibit No. 592: By-laws of the Licensed
26 Pilots for the Harbour
of Quebec and Downstream.

27

28 Q. When you started as a pilot, did the
29 system of special pilots exist?

30 A. In my case, this is strange to say.



1 FRENCH:

2 I started as a pilot in the spring of 1929 and by the
3 summer of 1930 I was a special pilot with a temporary
4 licence.

5 Q. Special pilot with a temporary licence,
6 but the system of special pilots was in existence at that
7 time?

8 A. Yes.

9 Q. Do you know for how many years it was
10 in existence when you became a pilot?

11 A. I couldn't tell you but I know all pilots
12 were always with the --- last with the companies, like
13 Mr. Pouliot, and so forth. For how many years I wouldn't
14 be able to tell you.

15 Q. Well, could you explain to us how some-
16 one became a special pilot? The Commission has heard
17 about the special pilots but I think you are the first
18 one in inland shipping to deal with this question during
19 your time?

20 A. I will take my case, if you want. I
21 went aboard a ship, it was an oil tanker, the Frontenac.
22 The captain was a Norwegian here for ten years and he
23 wanted to have a Canadian or British captain, master's
24 certificate because those ships were supposed to be
25 transferred under a Canadian flag, so we started talking
26 and I told him I was a marine instructor. I could
27 certainly help him. He liked that quite a lot. He
28 finally said, after talking for a few minutes, said I
29 have asked for a special pilot up there. Asked Mr.
30 Gauthier. I hope I will get him there. Would you be



1 FRENCH:

2 interested to come with us? Certainly, if I am not
3 refused.

4 Q. What do you mean by "up there"?

5 A. Mr. Gauthier had been asked for the
6 harbour district, this is Quebec and Montreal.

7 Q. And you were Quebec?

8 A. So he gave me the address where to make
9 the application and the following trip he was coming back
10 down on Sunday, and Monday morning I had my examination.

11 This is one case but there are other cases.

12 This was a question of knowing people, having friends.

13 I had a friend so I got my friend to come in as a special
14 pilot. Others had other friends, and so forth. A lot
15 of them worked to get them out of there. A lot of people
16 worked to get the special pilots out.

17 Q. I can understand from what you say that
18 when someone was a special pilot for a given company,
19 if that steamship needed another special pilot, they
20 could ask the special pilot who was already there to
21 recommend someone?

22 A. That is right.

23 Q. Amongst the young or other pilots who
24 were not special pilots, was there any kind of pressure
25 on the senior special pilots who, after all, were the
26 ones who had the last word to ask him to become a special
27 pilot?

28 A. I don't understand your question very
29 well.

30 Q. The senior special pilot for a given



1 FRENCH:

2 company, he was the one who made recommendations?

3 A. Right.

4 Q. During that time there were pilots who
5 were not special pilots?

6 A. Yes.

7 Q. Were those who were not special pilots,
8 did they exert any pressure, any promises or threats of
9 any kind to the one who was the senior special pilot to
10 try to get him to recommend them as special pilots?

11 A. I couldn't say, sir, not exactly as you
12 say. No threats. Some reports in your back, but no
13 threats.

14 Q. Would you tell us about reports in your
15 back?

16 A. Mr. Slocombe might tell you and give
17 them to you if he has them, that is the letters and the
18 reports that have been made by pilots against another
19 group of pilots and rarely it was true. Myself, I had
20 an investigation before Mr. Slocombe and pilots, officials
21 of the office at that time, and they never have been able
22 to prove what they have said.

23 Q. We have heard that this is hearsay?

24 A. That is all hearsay.

25 Q. Excuse me, but you talk about reports
26 which have been made against you.

27 A. Not only myself. Okay, we can limit the
28 case to myself.

29 Q. Now, who made those reports against you?

30 A. Mr. Slocombe can tell you better than



1 FRENCH:

2 myself because he had reports. He had signatures. There
3 is one even who is present in this room here. I can't
4 give the name because I have no proof.

5 Q. Have you seen these reports?

6 A. No, but I have received letters and have
7 been told.

8 Q. Who has written to you?

9 A. Mr. Slocombe, the Department of Pilotage.
10 They have written saying there was a report against me
11 and there was an investigation following this report
12 and the people who have made reports against me have been
13 called another time so there has been several reports
14 against me. I was the focus.

15 Q. How many?

16 A. Well, I was called three or four times.
17 I had to pay a fine even and the fine, this was paid back
18 to me afterwards. This is a case of jealousy, if you
19 want to summarize truthfully. It was just a question of
20 jealousy.

21 Q. Those reports which were made against
22 you, what was their nature?

23 A. Well, once I went out with my wife
24 during the afternoon and I was the first one on the turn
25 and I asked the office if there was any danger to me to
26 go in the afternoon. They said no, not before tonight
27 at five o'clock. I went to the office to see if they
28 wanted something afterwards. They said no, there is
29 nothing, so I went back home with my wife to have supper
30 and when I opened the door, the telephone was ringing



1 FRENCH:

2 so it was the office calling me asking me to go to Levis
3 for something in dock. It was a Patterson it was an
4 American ship which had been transferred, converted at
5 the Levis Ship Yard. I am not sure if it wasn't the
6 Gaspe Dock. Anyway, they were asking for a pilot right
7 away so I go there. We left Levis at seven thirty and
8 we go down the river so the pilot made a report against
9 me saying that this was fixed. How, I don't know.

10 Q. So this was one report. Now, do you
11 remember the contents of the other reports?

12 A. Oh, my lord, there were telegrams
13 received. I received a telegram signed by someone who
14 is in this room this morning. I don't remember, there
15 were so many reports, I can't remember. As a matter of
16 fact, they were never able to prove anything so it wasn't
17 worth much.

18 Q. So you say that there have been reports
19 which have been given against other pilots. How do you
20 know that?

21 A. For instance, due to the fact that
22 certain persons were going up the river, and another was
23 going down --- he was going up, and vice versa, so they
24 did not meet properly and one made a report in Ottawa
25 against the other and the pilot against whom the report
26 was made, I can tell you, he was as good as the other
27 if not better.

28 Q. How do you know that?

29 A. The person was advised. The person
30 against whom the report was made has been advised by



1 FRENCH:

2 Ottawa that the report was made against him.

3 Q. Now, Mr. Langlois, have you ever been
4 a director of the Pilots' Association?

5 A. No, sir, never. I have worked a lot to
6 have pilots become members of this Association.

7 Q. Now, during the time when you were a
8 pilot did you follow the administration of the Pilots'
9 Association?

10 A. Yes, to a certain extent.

11 Q. Now, still when you were a pilot, were
12 there any major problems dealing with the administration
13 of the Association?

14 A. No, I couldn't say so, no, not during
15 my time. Well, there was some question of wage increase,
16 I think, about the worse which happened.

17 Q. Now, in the beginning of the Association,
18 could you tell us if the directors of the Association
19 received any kind of fee or pay for their service?

20 A. No, nothing was paid to them.

21 Q. Were there expenses refunded to them,
22 different expenses during the time of their function?

23 A. As a matter of fact, as I can remember,
24 when they took a trip, when they went to Ottawa or to
25 Montreal they took a certain amount of money out. Let
26 us say \$50.00 or \$60.00. Some came back and gave back
27 the difference of what they did not spend and the others
28 did not have enough money for the trip.

29 Q. So this is the only reward they got at
30 that time?



1 FRENCH:

2 A. Yes.

3 Q. Were there any sleeping quarters in
4 Quebec when you were a pilot?

5 A. Yes.

6 Q. In 1929?

7 A. In 1929 we were in the old building of
8 the Canada Steamship Company and we moved in 1930, 1931,
9 1932, I don't remember when it was moved, and there were
10 sleeping quarters in both places.

7 11 Q. Now, according to your knowledge, when
12 you became a pilot, were these sleeping quarters used often
13 by the pilots?

14 A. Well, some who had to leave at two or
15 three o'clock in the morning went up there at ten o'clock
16 at night and had a rest before he left. There were sever-
17 al. This depended on the traffic, of course.

18 Q. Did the apprentices use the sleeping
19 quarters?

20 A. Well, this was their specialty. With
21 the wages which they get it isn't surprising.

22 Q. You do some compass adjustment?

23 A. Yes, sir.

24 Q. You still do it?

25 A. Yes, sir.

26 Q. When you adjust a compass, do you take
27 a pilot with you?

28 A. Yes. This depends on the size of the
29 ship. Sometimes it is a Montreal pilot. Sometimes it is
30 a pilot of the down below. The last one I adjusted, Mr.



1 FRENCH:

2 Lefebvre was here. This depends on the ships. Some take
3 one, another one depends on the size of the ship, take a
4 pilot. The government ships which are large ship, it's
5 the Captain, the Masters who do the manoeuvres

6 Q. Should you board a ship which has no
7 pilot aboard, do you do manoeuvres?

8 A. No, this is the master, the captain.

9 Q. You deal only with the compass adjusting?

10 A. Yes, that is the only thing I do.

11 Q. Are there several cases of adjustments
12 of compasses here in Quebec?

13 A. Several cases.

14 Q. Does this happen often?

15 A. Yes. I have done quite a bit during the
16 war for the ships of the Merchant Navy and the Royal Navy.
17 I had quite a few.

18 Q. Now, this year how many compass adjust-
19 ments have you made?

20 A. Well, not far from fifty.

21 Q. Fifty this year?

22 A. Yes.

23 Q. And last year?

24 A. Last year, well I am going to tell you,
25 as I have left the pilotage, you know, when you leave some
26 kind of a position you can lose quite a bit of prestige.
27 It is going to be denounced on your records somewhere;
28 so last year I had much less than the preceding years.

29 Q. And in the preceding years how much did
30 you do?



1 FRENCH:

2 A. Do I have to tell him? I have been
3 reported for my income tax already. I am not interested
4 in telling you. I have been reported, so I won't like to
5 say, if it is possible.

6 THE CHAIRMAN: I am sure that the Commission
7 has sufficient information so the witness does not have
8 to answer this question. Do you still have many questions
9 to ask the witness?

10 MR. JACQUES: No, your lordship. I think, as
11 a matter of fact, I don't have any more and the only
12 thing which I would like to say now is I would like to
13 ask Mr. Langlois to be at the disposal of the Commission
14 when the hearings will start again. It is not necessary
15 for him to be here all the time. I might have to ask him
16 other questions.

17 THE WITNESS: Do you mean this hearing?

18 MR. JACQUES: No, not now. A few months later
19 on.

20 THE CHAIRMAN: We will adjourn for a few minutes
21 and cross-examination will take place after the adjourn-
22 ment.

23
24 --- Short recess.
25
26
27
28
29
30



1 FRENCH:

2 Q. Now, Mr. Langlois, several witnesses
3 told us yesterday that some pilots, Quebec, Three Rivers
4 do not dock their ships in the St. Charles Estuary when
5 the tide was coming in. Are you aware of that?

6 A. I am aware of that because the ship
7 coming from Montréal which arrived here around ten o'clock
8 at night, and this is a ship for the Canadian Shipping
9 Company for whom I work. The tide was going down and the
10 pilot did not want to take it. He said we have to wait
11 until the tide comes up so that time I was asked to come.
12 It was a ship from the company for whom I work and I
13 went out. I did not have any tug and I managed to dock
14 her.

15 THE CHAIRMAN: What pier was it?

16 THE WITNESS: Pier 26, it is in the river.

17 Q. In the estuary of the St. Charles.

18 A. Personally I was able to bring the ship
19 in at any time of the tide, plus during the war, with war
20 ships, and I used to be the pilot in some of the war
21 ships.

22 Q. I understand that there are some war
23 ships which are not very big. It is easier to manage
24 them. Now, let us talk only about merchant ships?

25 A. Yes, I have docked merchant ships at all
26 tides.

27 Q. Could you give us an approximate number
28 of times when the Three Rivers pilots have refused to
29 dock ships in the St. Charles River during the, say, last
30 year's pilotage, for instance?



1 FRENCH:

2 A. I cannot tell you because some goes to
3 the office in the morning and they go on to see what was
4 going on. I have never done that. I have never watched
5 what the others were doing. I was only concerned with
6 what I did and I had too much work to do.

7 Q. But you could dock ships at any time of
8 the tide?

9 A. Yes, sir.

10 Q. You were aware of one particular case
11 when it happened?

12 A. I was aware of one particular case in
13 September, October, around 1957 or 1958.

14 Q. Do you remember other similar cases?

15 A. As I told you, I am not concerned with
16 the other people's business so I don't know. That is only
17 because that happened to me personally.

18 Q. Thank you.

19

20 CROSS-EXAMINATION BY MR. LALONDE:

21

22 Q. Pier 26 is not in the St. Charles River?

23 A. It is in the St. Lawrence River.

24 MR. JACQUES: There are still three other
25 persons who will question you. Don't run away.

26 THE CHAIRMAN: Mr. Langlois, have you any
27 questions?

28 MR. LANGLOIS: No.

29 THE CHAIRMAN: Mr. Mahoney?

30



1 ENGLISH:

2

3 CROSS-EXAMINATION BY MR. MAHONEY:

4

5 Q. Mr. Langlois, you were telling us earlier
6 about your days as an apprentice pilot and how you came
7 to be an apprentice pilot, and I think you said at that
8 time the system was that if your father had been a pilot,
9 it was much easier for a son to become a pilot. That is
10 so, is it?

11 A. I said it was not compulsory to be a
12 son of a pilot to become a pilot, but they have done it
13 an awful lot.

14 Q. How was this arranged? Was it through
15 a system of examinations?

16 A. No, it was done before.

17 Q. At the time that you made application
18 to become an apprentice?

19 A. Well, I told you a little while ago
20 when I made an application, I was the first on the list.
21 I knew that because I asked the superintendent. Then a
22 few days later what was my number on the list? You are
23 the first. One day I was at school and I was told there
24 were seven that were called for their examinations that
25 day, one of them had failed but they didn't relieve him
26 so I was still the first one on the list but seven came
27 before me.

28 Q. You were first but seven who were behind
29 you on the list ----

30 A. Exactly.



1 ENGLISH:

2 Q. --- were called?

3 A. Yes.

4 Q. Who would notify those applicants that
5 they were to be examined?

6 A. I couldn't tell you. I am not sure of
7 that. Ottawa agreed to take on six or seven or whatever
8 the number of pilots, apprentices that they wanted and
9 they were called finally by letter from Ottawa or to our
10 office. I am not sure on that.

11 Q. But who would decide which applicants
12 were to be examined?

13 A. Ottawa.

14 Q. But you say that in your case there were
15 seven pilots who were behind you on the list who were
16 called ahead of you?

17 A. Yes, sir.

18 Q. Are you telling us that this was done
19 in Ottawa? That Ottawa missed your name at the top of
20 the list?

21 A. Well, I am going to tell you a fact;
22 I was told this by a Montreal pilot who was a good friend
23 of mine. He says why don't you go to Ottawa and see the
24 Minister and tell him your case. I said, by gosh, I said,
25 meeting a Minister, you know those days I couldn't talk
26 like I can today, so finally I went to Ottawa and made
27 an appointment with the Minister's secretary.

28 So I was called for ten o'clock a certain day,
29 so I went to see him there. I told him my little story,
30 the facts. He said I don't see the reason why you came



1 ENGLISH:

2 up here. He says you are first on the list and you are
3 going to remain first on the list and he is going to call
4 you first. I says as far as coming to Ottawa is con-
5 cerned, it is quite all right. I can stand that and thank
6 you very much, so I walked away.

7 The same spring we were called so I went to
8 see the superintendent. What number am I? He said
9 second but the fellow has failed on his examination so
10 they couldn't come back and get somebody else in my place.
11 I was there so who done it then, I don't know.

12 Q. But who actually told you to come for
13 an examination?

14 A. Mr. Hooley invited me to come for an
15 examination. Mr. Hooley was the superintendent of pilots
16 here in Quebec.

17 Q. During your years as a pilot until 1959,
18 can you tell us whether the same system for choosing
19 pilots was in existence?

20 A. No, it changed an awful lot. They had
21 a list, I believe, and they followed the list providing
22 the apprentice was in line with the last list. They had
23 the time limit, sea time, and so forth.

24 Q. The practice of giving some preference
25 to the son of a pilot is something which no longer exists?

26 A. I don't think so. This is twenty odd
27 years ago since they changed that and they follow the
28 list pretty straight.

29 Q. Now, you said that reports were sent in
30 to Ottawa by pilots against other pilots?



1 ENGLISH:

2 A. I beg your pardon?

3 Q. You said that some of the pilots through
4 the years reported other pilots?

5 A. Maybe me, for instance.

6 Q. But you said, I think, that this happened
7 with other pilots, besides you?

8 A. Yes, sir.

9 Q. I think you said also that in some cases
10 a pilot would report another pilot because he would say
11 that the two ships which they were piloting did not meet
12 properly in the channel?

13 A. Yes, sir.

14 Q. Did that happen often?

15 A. They reported me as being blind one day.

16 Q. Did that happen to you very often?

17 A. I had a sore eye. I was down the Gaspé
18 and finally I got a sore eye suddenly and I came back
19 and went to see the doctor and it lasted about five weeks.
20 I could see with the other eye as good as with my two
21 eyes. Anyway, they reported me for being blind. I know
22 who it is.

23 Q. This question of one pilot reporting
24 another pilot because the two ships did not meet properly
25 in the channel ----

26 A. One of them done that, yes.

27 Q. Did that happen very often, that sort of
28 thing?

29 A. I don't know. I know one case.

30 Q. Were you involved?



1 ENGLISH:

2 A. No, not in that one.

3 Q. This is taking a case where other people
4 had been reported?

5 A. Yes, sir.

6 Q. Do you know anything about the merits of
7 that case? Do you know whether it was a proper report?

8 A. Well, the one I know, the fellow who
9 reported the other fellow, the fellow being reported was
10 just as good as the fellow who reported. I know that
11 much. I wasn't there at the time.

12 Q. I understand you do compass adjusting
13 now?

14 A. Yes, sir.

15 Q. You have been doing compass adjusting
16 for some years?

17 A. Thirty-three or four years.

18 Q. So that during the time that you were a
19 pilot, you were also acting as a compass adjuster?

20 A. Yes, sir.

21 Q. Did that interfere with your duties in
22 any way?

23 A. Not a bit.

24 Q. But you did have an extra income?

25 A. Absolutely.

26 Q. Thank you.

27

28

29

30



1 FRENCH:

2

3 CROSS-EXAMINATION BY MR. BRISSET:

4

5 Q. I won't be too long, Mr. Langlois. You
6 told us for a few years that you were in service there
7 were sleeping quarters at the pilotage station. You were
8 aware of the fact that they might have been closed?

9 A. In my time they existed, but I left in
10 January, 1960, and I heard that they were taken off,
11 closed, but I don't know.

12 Q. Did you think that these sleeping
13 quarters were useful?

14 A. Very useful. Very useful.

15 Q. Now, supposing they are closed now,
16 where a pilot is waiting for his ship, can he wait in a
17 convenient place?

18 A. There are not very many places they can
19 go to rest so they have to, I suppose, I don't know, it
20 has not happened to me, have to stay in the office or in
21 the waiting room on a chair in the waiting room and they
22 just wait. Sometimes it is foggy and they may wait four
23 or five hours or midnight. They call at midnight and go
24 aboard until about two o'clock. It was five o'clock in
25 the morning and he is already tired before going aboard.

26 Q. Are there hotels around the pilotage
27 station?

28 A. There are hotels but supposed to be
29 called from one minute to the other. How can you go and
30 sleep? They may go to bed and undress, then they get a



1 FRENCH:

2 phone call to go immediately.

3 Q. There are also hotels with taverns which
4 are open?

5 A. Yes, several hours, not all night, no.

6 Q. You told us that you stopped being a
7 pilot at the end of 1959?

8 A. Yes, sir.

9 Q. So in 1960 you were no longer on the
10 pilots' list?

11 A. No.

12 Q. Are you aware that during the year 1960
13 the Corporation of Lower St. Lawrence Pilots has been
14 incorporated?

15 A. Yes, I have been informed of that. When
16 I became a pilot I signed myself with the Pilotage
17 Association for twenty-five years and I don't know exactly
18 what year, but one year after I was a sea pilot, there
19 was an extension of twenty-five years which maintained
20 the Association as it existed up to 1979, 1980.

21 Q. During your last year as a pilot, that
22 is to say 1959, was there any question of the setting up
23 of a corporation which would be different from the
24 Association? A corporation which was supposed to be
25 called the Corporation of Lower St. Lawrence Pilots?

26 A. I heard about that but I was very sick
27 that year. I had to go to hospital so I did not concern
28 myself too much with that.

29 Q. I say this corporation was mentioned
30 before 1959?



1 FRENCH:

2 A. Yes.

3 Q. It was mentioned?

4 A. It was mentioned and I was asked to sign
5 the petition. They had a meeting but I didn't sign it
6 because I was already committed up to 1980 with the
7 Association.

8 Q. You told us what changes occurred in the
9 system for accepting apprentice pilots during the years
10 when you were working. Are you in a position to say,
11 according to what you know yourself, in order to become
12 a pilot, once you have finished your apprenticeship, this
13 apprentice must commit himself to become a member of the
14 Corporation?

15 A. Not before. You could talk to pilots
16 about friends coming into the Association when you become
17 a pilot, but nobody insisted upon it. I was asked if I
18 wanted to belong to the Association and so I had agreed
19 that I would come in there.

20 Q. In other words, during the time you were
21 on duty as an apprentice pilot you were not compelled to
22 become a member of the Association in order to become a
23 pilot?

24 A. No.

25 Q. Once he had signed to become a member
26 of the Association, could he resign if he wanted to?

27 A. No, because the last time we have
28 extended our Association Act up to 1979 or 1980 so some
29 people ----

30 Q. You said that there were two pilots who



1 FRENCH:

2 had to resign during a certain period. Did I understand
3 correctly?

4 A. That is before my time, sir.

5 Q. Before 1929?

6 A. Before 1929. When they had created a
7 new Association, two of them did not want to sign and
8 finally they had some difficulty with the other fellow
9 workers and finally they had joined.

10 Q. Was this the point when you signed a
11 new law extending your Association up to 1979? The
12 duration?

13 A. The first one was in 1924 I think, if
14 I am not mistaken. The first one was started in 1924
15 for twenty-five years and then it was extended for twenty-
16 five years and this was to go to 1979 or 1980.

17 THE CHAIRMAN: This clause 6 says the company
18 is set up for fifty-six years, starting in 1924 up to
19 1980 by members, whatever the date of their entry, or
20 to the time they are retired or death. Before that time
21 no member of the company can withdraw without the consent
22 of the other members who have signed this Act unless they
23 stop carrying out their function as a pilot.

24 Q. Is this the regulation that you mentioned?

25 A. Yes.

26

27 CROSS-EXAMINATION BY MR. POISSON:

28

29 Q. Mr. Langlois, I understand that you have
30 been a pilot about twenty-five years. What district?



1 FRENCH:

2 A. Quebec, Father Point, Lower St. Lawrence.

3 Q. According to you does it happen that in
4 the Quebec Harbour conditions are so bad you cannot take
5 a ship in some particular places of the Harbour?

6 A. There are some special cases. Well,
7 take, for instance, a great eastern wind, and this ship
8 is coming in the St. Charles River. He is going to have
9 difficulty and even cause damage, even with tugs.

10 Q. According to your experience do these
11 conditions occur often?

12 A. I couldn't say their frequency, but once
13 in a while in the Fall in particular.

14 Q. A few times each season?

15 A. Several times you have got strong easterly
16 winds with the upgoing, and even with the downgoing tide
17 there is a danger of causing damage.

18 Q. These are exceptional conditions but are
19 there any reasons why one would hesitate or why one would
20 refuse to dock a ship?

21 A. Personally I don't see but there are many
22 or different stages of the tide.

23 Q. Are you aware of the fact that pilots
24 who are serving Three Rivers and Quebec seem to hesitate
25 more than those of lower St. Lawrence as far as docking
26 is concerned?

27 A. It has happened once that I had to re-
28 lieve one pilot in the river since he was on a ship for
29 the company for whom I worked. I was told to take it to
30 shed 26 and I did.



1 FRENCH:

2 Q. And you had no particular difficulty in
3 doing that?

4 A. None. And I did not even use a tug.

5 Q. According to you, what was the pilot's
6 reason?

7 A. Well, he said we had to wait the upgoing
8 tide since the tide was going down, so I went and I had
9 no difficulty in docking the ship.

10 Q. Are you aware, Mr. Langlois, of the
11 recommendation found in the pilots' brief, number four,
12 concerning the docking in Quebec?

13 A. I have read that book.

14 Q. I am going to read this recommendation:
15 "That there be a change of pilot for docking
16 in the Quebec Harbour of all ships going up
17 the St. Lawrence and going to Quay at that
18 port and that pilotage dues be charged to
19 that effect."

20 You have done pilotage in the lower St.
21 Lawrence. You are one of those who did the docking
22 regularly for ships going up the river?

23 A. Yes.

24 Q. Something that strikes me in the
25 recommendation ----

26 A. Me too.

27 Q. ---- one does not ask for a change of a
28 pilot in ships going down the river. Do you have any
29 reason or are there any reasons, according to you, to ask
30 for that, for ships going up the river?



1 FRENCH:

2 A. This applies to pilots today. I am not
3 concerned with what they are doing today. I am not
4 interested. They can try to obtain all they want. It is
5 their own business, but a ship leaving Quebec in the
6 basin, he goes out, the pilot goes out with the ship, but
7 in my time when I was a pilot, from Quebec to Father
8 Point, I had to do the majority of ships doing twelve
9 knots per hour, and sometimes even more. The pilotage
10 has been shortened by thirty-five miles. It is a good
11 distance. In my time we left Father Point in the fog,
12 that covered seventy-five minutes with ships going seven,
13 eight, nine, ten knots, were very happy, so instead of
14 taking nine, ten hours, it took us fifteen to eighteen,
15 twenty hours, so we lost a lot of time. We had to listen
16 to noise, because we did not have sounding equipment and
17 we did not knock our ships. If they can do it in better
18 conditions, so much the better for them.

19 Q. On the particular point I mentioned,
20 the fact that you asked for a change of pilots of ships
21 going up, and not for ships going down ----

22 A. Ships going up might go to anchorage and
23 wait for the tide to go in the inland basin. He might
24 wait to have a place for anchorage. He can wait for two
25 or three hours. Might be one of the reasons he has been
26 eight hours on board a ship while the ships can dock.
27 That is all right if he can take that. That is so much
28 the better.

29 Q. I was interested in the fact that you had
30 not asked for a change in pilots for ships going down.



1 FRENCH:

2

3 CROSS-EXAMINATION BY MR. LALONDE:

4

5 Q. The Quebec Harbour Committee wants to
6 know why ships are not solicited when going down. Perhaps
7 we can wait two hours and ask the question to the pilots
8 concerned.

9 A. I would prefer that too.

10 THE CHAIRMAN: The witness can give his opinion
11 but he won't be able to give the reason, or the basis for
12 this request so that the witness can only give his opinion
13 on this matter.

14 MR. JACQUES: We had asked the witness if he
15 saw reasons for a difference.

16 MR. LALONDE: Well, if he wants to start the
17 discussion on this matter, I can ask the stenographer
18 to read the succeeding back but I don't know if it is
19 worth it.

20 THE CHAIRMAN: If the witness is willing to
21 say what is his opinion on the matter and the situation
22 is different for a ship going down than it is for a ship
23 going up river, that is all right. If you know anything
24 about it, say so. If you don't know anything about it,
25 say so.

26 THE WITNESS: Well, the reason is this: a ship
27 down is docked at Anse au Foulon. There are two tugs to take
28 him off the pier. This takes three-quarters of an hour
29 at the maximum.

30 THE CHAIRMAN: We are talking about ships



1 FRENCH:

2 coming from Montreal and docking in Quebec.

3 THE WITNESS: The Montreal pilot has to dock
4 him. That is the pilot's business.

5 -----
6
7 ROLAND BARRAS, sworn

8
9 DIRECT EXAMINATION BY MR. JACQUES:

10
11 Q. Will you please sit down. What is your
12 profession?

13 A. Pilot.

14 Q. What is your age?

15 A. Fifty-six.

16 Q. You have been a pilot for how long?

17 A. Since 1946.

18 Q. And have you had experience at sea before
19 becoming a pilot?

20 A. Yes.

21 Q. What experience have you had and how many
22 years have you been to sea before becoming a pilot?

23 A. Several years, about ten years but it
24 happened quite often that I went to sea during the winter
25 and during the summer was kept on the river.

26 Q. Did you obtain a competency certificate?

27 A. Yes, I have a certificate as a master of
28 coastal ships.

29 Q. 12,113. When did you obtain this
30 certificate?



1 FRENCH:

2 A. I had this certificate before becoming
3 an apprentice in 1928 and I had my master certificate in
4 1931 or 1932, I think.

5 Q. Did you obtain this certificate here in
6 Quebec?

7 A. Yes, here in Quebec.

8 Q. Now, I think that at the time the
9 apprenticeship system was the same as the one which existed
10 immediately before the last changes which took place?

11 A. Well, I must say when I applied at
12 sixteen years old, I was still going to school and the
13 supervisor at that time in Quebec told me it was the time
14 to apply. Not many candidates and after maybe one month
15 when my application has been approved, I went to see him
16 again and when I asked him where I was and what was my
17 place on the list, he said I was very far, so I asked him
18 to know the figure. He said 160. I said good-by, sir.

19 Q. So you have made your request only for
20 the district downstream, not upstream of Quebec? Were
21 you able to see the list of apprentices?

22 A. Never. Every year I went to inquire
23 about my number and when I insisted to find out what my
24 number was, I was being told good-by, sir.

25 Q. Were you given your number?

26 A. No, sir.

27 Q. So you did not know whether you were
28 going up on the list?

29 A. No.

30



1 FRENCH:

2 Q. You have made this application at the
3 age of sixteen years old?

4 A. Yes. I was put on the list of people to
5 become an apprentice around the age of sixteen, right.

6 Q. And how old were you when you were called
7 as an apprentice?

8 A. I have been called as an apprentice
9 after about six years.

10 Q. So your name has been on the list of
11 candidates to become an apprentice for about six years?

12 A. Yes, about.

13 Q. And how long have you been an apprentice?

14 A. Sixteen years.

15 Q. Sixteen years?

16 A. From 1930 to 1946.

17 Q. Would you explain to us how it happens
18 that you have been an apprentice for sixteen years?

19 A. Well, we have the crisis and there was
20 the war and we were told to get ready all the time and it
21 would be issued, but we had to wait another eleven years.
22 Supposed to serve as an apprentice, I was supposed to
23 train for five years and had my certificate as a master
24 which made me privileged to serve as an apprentice only
25 for five years but I was there sixteen years.

26 Q. So this was your application when you
27 became an apprentice, an average of fifty trips a year
28 during five years?

29 A. Yes, fifty trips a year. Always made my
30 fifty trips. During the first years it happened that I



1 FRENCH:

2 made them during the spring or during the fall.

3 Q. You had those?

4 A. I had those. There was an objection that
5 I would make all my trips at the same season, before I
6 started working because during the summer I was working
7 as first officer on the ships of the Canada Steamship.
8 It was running for three or four months and I was doing
9 my trips as pilot during the fall and the spring.

10 Q. And there was an objection?

11 A. Yes, one year there was an objection so
12 the captain for whom I was working advised me to write
13 Mr. Robertson in Ottawa and I wrote and I received the
14 permission to go and do the same thing.

15 Q. To make your trips in the beginning and
16 at the end of the season?

17 A. Yes.

18 Q. Were you paid as an apprentice?

19 A. Not at all, sir. We were paid, I think,
20 the last two years of the war. I don't remember exactly
21 which years. Probably 1942 or 1943.

22 Q. But from 1930 until such time there was
23 no income? The companies did not pay you any bonus, any
24 special bonus?

25 A. No.

26 Q. You have heard the testimony of Mr.
27 Langlois who said that certain companies paid \$10.00?

28 A. I heard it but since my apprenticeship
29 --- it was before me.

30 Q. At your time it didn't exist. Where was



1 FRENCH:

2 most of your experience?

3 A. I was working for Canada Ship Line and
4 going to sea during the winter.

5 Q. As an officer aboard the ship?

6 A. Yes.

7 Q. You have fifty trips a year as pilot.

8 During each of the years during your apprenticeship did
9 you have to take any kind of an examination?

10 A. No, none at all.

11 Q. At the end of your apprenticeship did
12 you take an examination to become a pilot?

13 A. Yes, only when I was called upon to become
14 a pilot.

15 Q. What kind of examination have you taken?

16 A. Well, seamanship and regulations on the
17 river, reading of the charts and maps, and the examiner
18 was Mr. Lachance, and at that time Captain Slocombe was
19 representing the Department of Transport and three pilots.

20 Q. Three pilots of your district ?

21 A. Yes.

22 Q. Was it a written examination or oral
23 examination?

24 A. Both.

25 Q. What was the written part?

26 A. Well, dealing with seamanship, the
27 different conditions of the river or sea, really.

28 Q. Who was conducting the questions on the
29 St. Lawrence River?

30 A. It was the pilots who were asking those



1 FRENCH:

2 questions.

3 Q. What were the duties of apprentices when
4 you were an apprentice?

5 A. First we weren't allowed to smoke without
6 getting permission and we couldn't sit down without
7 getting permission.

8 Q. Besides that were you asked to do useful
9 work?

10 A. Well it happened that sometimes we were
11 asking to take over the ship in order to practice a little
12 bit and this was agreed to quite often.

13 Q. Quite often. Besides that what did you
14 do?

15 A. We looked at the pilot to see what he was
16 doing in order to learn.

17 Q. Did you ask him any questions?

18 A. We were asking for information when we
19 thought we had something to gain from it.

20 Q. You have been an apprentice for an
21 excessive number of years. I suppose that after five
22 years of apprenticeship you were duly qualified?

23 A. Yes, I piloted before I became a pilot.
24 I piloted for the Canada Steamship Lines on a liner.

25 Q. During your apprenticeship --- not as
26 an apprentice?

27 A. As a non-official pilot, if you want.
28 Canadian Steamship Lines had its own pilots who weren't
29 pilots, but were certified people.

30 Q. You were one of those. You weren't a



1 FRENCH:

2 member of the Association at that time? Did you have a
3 licence in the Department of Transport as a pilot?

4 A. No, I had a licence as master of a coastal
5 ship.

6 Q. You have been, I think, president or
7 at least director of the Association of Licensed Pilots
8 for a certain time?

9 A. From 1947 to 1959, I was ten years in
10 the Board of Directors and one year as President.

11 Q. Now, Mr. Barras, could you please
12 describe to the Commission the way in which the business
13 of the pilots was administered by the pilots while you
14 were director?

15 A. Well, the business was run --- the
16 Department took ten per cent on the pay which was given
17 to the funds. The salary was the same for the pilots,
18 Pilots' Association and the balance was shared among the
19 pilots after making administration expenses.

20 Q. Can you tell the Commission how pilotage
21 income was divided between the pilots?

22 A. Well, the pilotage income was divided
23 in equal shares; that is to say, that every two weeks
24 the money which came in was equally shared between the
25 active pilots.

26 Q. What do you mean shared among the active
27 pilots?

28 A. Well, if there were fifty pilots and if
29 the amount given to the secretary was \$50,000.00, we
30 received \$1,000.00 each, one-fiftieth, but after deduction



1 of the expenses for administration.

2 Q. Now, during your term were such adminis-
3 tration expenses quite high?

4 A. In 1957 I think it was about \$9,000.00,
5 approximately \$9,000.00 for that year.

6 Q. What did these expenses include?

7 A. Well, they included the salary of the
8 secretary, office stationery, stamps, telephone.

9 Q. Did it not exist at a certain time, a
10 system according to which the pilots were refunded certain
11 amounts for the transportation from Quebec to Father
12 Point and vice versa?

13 A. Yes, this was also included in the expense
14 item.

15 Q. Would this be included in the \$9,000.00
16 which you mentioned?

17 A. Well, I don't know. I can't tell you
18 exactly, but this amount which was given to us was included
19 in our total amount, as far as deductions for expenses
20 which were made, we made in our income tax declaration.

21 Q. This system would seem to be quite
22 complicated, was it changed while you were on the Board
23 of Directors? Has it been modified?

24 A. No, I don't think so. While we were
25 members of the guild and the Association has absorbed the
26 total amount, but before, and as the majority had agreed
27 to join the guild, and at that time the expenses went up
28 a little.

29 Q. What year was that?

30 A. The time exactly, I don't know.



1 FRENCH:

2 Q. Who would be able to tell us about the
3 details of the administration then?

4 A. Mr. Menard, the secretary.

5 Q. Could he tell us exactly how income was
6 divided amongst the pilots?

7 A. Yes, I think so.

8 Q. Were you director of the Association
9 when the new corporation was formed?

10 A. No.

11 Q. You weren't director at this time?

12 A. No. The last year I was on the executive,
13 it was in 1959 and the Corporation was established in
14 1960.

15 Q. You weren't a director at that time any-
16 more?

17 A. No.

18 Q. Had you resigned your function?

19 A. No, I lost my election.

20 Q. I think, if my information is correct,
21 that you are not a member of this new Corporation?

22 A. No, I am not a member, but there is
23 something which I don't understand. There is article 6
24 here which says that the Association must always accept --

25 Q. So that the Commission will know what
26 the witness is referring to, is it Article 6 of exhibit
27 592 which has been given to the Commission a while ago?

28 A. What I don't understand is my cheques are
29 made to the Corporation to which I don't belong and I
30 don't take any part in the participation of the expenses



1 FRENCH:

2 of this Corporation.

3 Q. Did you ever ask this Corporation to give
4 you the moneys which you think belong to you?

5 A. Not personally, but I reserve the right
6 to do so. I am informed one of my colleagues has refused
7 to accept these cheques but as it is not possible to live
8 without money I think he eventually had to accept them.

9 Q. When the Corporation was established
10 have you been required to sign any kind of document?

11 A. Document --- you mean document to the
12 Corporation, to be a member of the Corporation? Well,
13 we have been sent some documents but I didn't sign them.

14 Q. Why did you not sign them?

15 A. Because I think I get much better
16 protection with the Association than with the Corporation.
17 For instance, if there is a strike, if the shipping
18 decides to sue the Corporation the members have to pay,
19 but the Association which is independent, the Association
20 is not incorporated and cannot be sued.

21 Q. Besides this is there any other reason?

22 A. There is no other, but we can say that
23 the Association was administered with much less money than
24 today. There were no free trips. When we had to go to a
25 meeting we came back and did an extra trip when we came
26 back. It took much less money to administer the
27 Association than it takes to administer the Corporation.

28 Q. How were the expenses of the Association
29 controlled?

30 A. They were controlled, there were expenses,



1 FRENCH:

2 the secretary was authorized to make money available if
3 there were certain circumstances. When we went to Montreal
4 or Ottawa we had to hold a meeting and vote on the money,
5 the money for expenses before we left the meeting, and
6 when we came back we had to give back the money which we
7 hadn't spent.

8 Q. Was the executive board limited as far
9 as the amount which could be voted?went?

10 A. It wasn't limited, but the members
11 limited themselves. They were fair to their duties.
12 There was no limit.

13 Q. You could have voted \$50.00 or \$500.00?

14 A. Yes, exactly.

15 Q. Were bills presented to the members of
16 the Association?

17 A. Well, when the financial report was made,
18 indicating the total amount that was spent on a given
19 trip for a delegation.

20 Q. You were paid every two weeks?

21 A. Yes, every two weeks.

22 Q. You were paid by cheque?

23 A. Yes.

24 Q. With the cheque there was a document?

25 A. The total amount of moneys received,
26 the amount of movages, the amount for detentions, the
27 cases of sickness and the cases of suspension, and certain
28 things which might be of interest for the pilots, and
29 the moneys which were still to be collected because there
30 were still some arrears for pilotage fees.



1 FRENCH:

2 Q. Did these indicate the expenses of the
3 administration of the executive board of the Association
4 for those two weeks?

5 A. Yes, for those two weeks, maybe not
6 little expenses, but important expenses were indicated.

7 Q. Now, you said you have been paid by
8 cheque since the Corporation?

9 A. Since 1960.

10 Q. Since 1960. Do you still receive this
11 amount of information now, with expenses of administration
12 and so forth?

2 13 A. Yes.

14 Q. So there is no change as far as this is
15 concerned?

16 A. No, absolutely not.

17 Q. You said that you have not claimed any
18 money whatsoever from the Corporation, but you reserve
19 the right to do so?

20 A. Yes, I reserve the right to do so
21 because right now --- if I want to claim I have to get
22 the service of a lawyer and the Corporation will have a
23 lawyer which I will have to pay, also, because I think I
24 am in a vicious circle. There is nothing I can do with
25 it. I am going to have to pay with money from my pocket
26 to have a lawyer and the Corporation will pay with my
27 money for a lawyer who will fight it.

28 Q. If you win ----

29 A. That is the question. I am not a lawyer.
30 I can't judge whether or not I will win.



1 FRENCH:

2 Q. Have you been called to attend meetings
3 of the Corporation?

4 A. Well, I have been called to attend
5 meetings of the Association. They are small meetings of
6 the Corporation but I don't go to the Corporation, number
7 one, because a colleague of mine, even though his money
8 is taken to pay expenses he has been refused the right
9 to speak at the meeting of the Corporation.

10 Q. Have you been called by the Corporation
11 to a meeting?

12 A. We were called, but we received mention
13 there will be a meeting of the Pilots' Corporation of
14 the Pension Fund, of the Pilots' Association and of the
15 St. Lawrence Corporation.

16 Q. This is on the same notice?

17 A. On the same notice, yes.

18 Q. Did you go to this meeting?

19 A. No, not since 1960.

20 Q. Did you attend the annual meeting for
21 the Corporation?

22 A. No annual meeting for the Corporation.

23 Q. Have you attended any meeting?

24 A. Well, when we discussed the question of
25 setting up of the Corporation I had attended certain
26 meetings at the time.

27 Q. Since the Corporation has been establish-
28 ed you didn't attend the meetings of the members of the
29 Corporation?

30 A. No, sir.



1 FRENCH:

2 Q. Do you still receive notices of meetings
3 regularly?

4 A. Yes, sir.

5 Q. Do you receive at the end of the year
6 explanations from the Corporation of the moneys which
7 they have kept?

8 A. Yes, but something which isn't mentioned
9 there is the imaginary trips which directors of the
10 Corporation give to them. A director can exempt himself
11 twenty-five or thirty trips in a year which he doesn't
12 make and this is the moneys in question.

13 Q. I don't understand.

14 A. It happens during the year that a
15 director or the president must have trips or meetings
16 which they hold during the season. Those are trips which
17 haven't made which is given to them by the Pilotage
18 Authority and naturally it isn't considered as an expense.
19 We have to pay for these trips. This isn't considered
20 an expense. It is considered as ordinary income of the
21 pilots.

22 Q. So you don't have a detail of these trips?

23 THE CHAIRMAN: What the witness means is that
24 if some officers of the Corporation receive compensation
25 for the trips which they haven't made and that therefore
26 they are paid for these trips which they didn't make and
27 this money comes from the moneys earned by the other
28 pilots and therefore the other pilots pay for these
29 moneys and this is an expense, a deduction from their
30 income which is indicated in the item expense.



1 FRENCH:

2 THE WITNESS: Yes, quite right, my lord.

3 MR. JACQUES: So it is not possible to know
4 where these moneys went?

5 THE WITNESS: I wasn't present at the meeting.
6 I have been told that a member asked how many trips the
7 the president had made and the information wasn't given
8 to him.

9 Q. You say that a member at a meeting had
10 asked how many trips the president had made during the
11 year and he didn't get an answer?

12 A. That was what was said to me.

13 Q. You weren't there?

14 A. I wasn't there. I didn't attend the
15 meeting.

16 Q. Do you think it would be possible to
17 obtain this information from the Pilotage Authority here
18 in Quebec?

19 A. Yes, you could obtain it from the
20 secretary, Mr. Menard.

21 Q. I am talking about the Pilotage Author-
22 ity of the Department.

23 A. Probably the Pilotage Authority also.

24 Q. Have you tried to get this information?

25 A. No, sir. I have withdrawn from politics
26 since 1960.

27 Q. What do you mean, politics?

28 A. Pilots' politics.

29 Q. So you haven't been in pilots' politics
30 since 1960?



1 FRENCH:

2 A. Yes, I came here because I have been
3 called to come here.

4 Q. You have no choice. Now, to come back
5 to those trips, these would be, I use your words,
6 imaginary trips which would be granted to a director,
7 a member of the executive of the Corporation, and what
8 is the relation between this and the income?

9 A. Well, you see the turns are equalized.
10 When we come back to Quebec the turns are equalized so
11 if one of the directors holds a meeting during the
12 morning he is entitled to a turn, so this turn is entitled
13 to him in Quebec. That is a trip which he didn't make. If
14 everyone else has fifty-eight trips and he has fifty-
15 seven, he is paid the fifty-eight like all the others.

16 Q. At the end of the week what does this
17 mean as far as income is concerned?

18 A. This is income ---I could give you an
19 example, for instance, this might be different from the
20 Corporation. If the president of the Federation, he
21 didn't make one trip this year, and I think he had twenty
22 trips on the list, and those are trips which are given
23 to him which he didn't make and the moneys come from the
24 pilots:

25 Q. Are you paid by the Corporation accord-
26 ing to the official number of trips which you have made

27 A. Yes, but we have to maintain the average
28 if we lose some trips.

29 Q. So if you maintain the average you have
30 a fixed salary, and if you are under the average there is



1 FRENCH:

2 a deduction in your salary?

3 A. Yes, right.

4 Q. How much is deducted?

5 A. It depends on the value collected by
6 the pilots. Sometimes the pilotage represents \$120.00
7 and it will be adjusted at the end of the season. If I
8 am two trips short I will be adjusted \$240.00 and the
9 dividend.

10 Q. With each trip to a member of the
11 executive board --- is that the real figure?

12 A. \$120.00 --- it is reached at the end of
13 the season because it might be changed the amount for
14 each season, but usually we give an estimate, say, we
15 are going to use \$120.00 or \$125.00 at the beginning of
16 the season and we will adjust at the end of the season
17 if it is worth less or more.

18 Q. Do the members of the executive who have
19 a trip which is granted to them receive these moneys for
20 these imaginary trips which is granted to him?

21 A. Yes, sir.

22 Q. Have you been approached in order to
23 become a member of the Corporation?

24 A. Yes, I have been approached.

25 Q. No pressure?

26 A. No pressure.

27 Q. Do you know how many pilots are not
28 members of the Corporation?

29 A. Six, now.

30 Q. Were you a special pilot?



1 FRENCH:

2 A. Yes, sir.

3 Q. Would you like to tell us how you became
4 a special pilot?

5 A. Well, it was a question of Dominion ---
6 there was a conflict between the pilots and the company,
7 some wanted to have such and such a pilot, two others
8 wanted another one and the agent who knew me --- we had
9 got together for some time --- he said he would choose
10 for himself.

11 Q. That is how you became a special pilot?

12 A. Yes, sir.

13 Q. So you received a bonus as a special
14 pilot. What was the amount of this bonus?

15 A. It was \$15.00 and then I think it went
16 up to \$20.00 and \$25.00.

17 Q. On an average year how many trips did
18 you make as a special pilot?

19 A. Well, we had many ships. I think in 1959
20 I had done all my trips in Furness, very few on the tour
21 de role.

22 Q. Can you explain to us how the choice of
23 special pilots was made?

24 A. Special pilots had to do a trip in their
25 line and take their turn. If you have fifty turns in the
26 line he had ninety altogether.

27 Q. Was there conflict sometimes between his
28 work as a special pilot and as a pilot on the tour de role?

29 A. No.

30 Q. Did it happen he was second or third



1 FRENCH:

2 in turn and that he had to leave the turn to do a trip
3 for the company?

4 A. I think that could happen.

5 Q. Didn't that upset the tour de role?

6 A. It couldn't. The one who has something
7 to do has to skip his turn.

8 Q. Were there complaints from the pilots
9 concerning this system?

10 A. There have always been complaints of
11 all the systems, anyway.

12 Q. Can you summarize these complaints made
13 by the pilots for the tour de role with regard to special
14 pilots?

15 A. The tour de role had to wait longer,
16 more waiting hours because he didn't have the same number
17 of trips. We didn't have the lakers which we have today
18 which amounted to one-fifth of our time. Sometimes he
19 had to wait. There was only liners. We didn't have the
20 number of trips we have today. In 1946 when I became a
21 pilot I think we had only fifty or so trips. Sometimes
22 those on tour de role would wait two or three days at
23 Father Point.

24 Q. That happened to special pilots you say?

25 A. Less ships than we have today.

26 Q. Was this the only complaint concerning
27 the system?

28 A. There might have been others but it is
29 difficult to recall.

30 Q. To your knowledge?



1 FRENCH:

2 A. Well, sometimes they said the ship didn't
3 belong to the company, it should have been a line pilot
4 to do that.

5 Q. Was there any complaints : that special
6 pilots always had the good ships and the others had old
7 tramps?

8 A. There was a complaint, but for the
9 Furness Company, we had all ships, the liners and the
10 tankers.

11 Q. Did it occasionally happen that the
12 pilots from the tour de role took passenger ships at
13 times?

14 A. They had the right to do so. There was
15 no line pilots. They had the right.

16 Q. They had the right to do that?

17 A. Yes.

18 Q. But to your knowledge did that happen?

19 A. Well, not to my knowledge. I don't
20 remember it happening when I was an apprentice with the
21 line, the apprentices working for the company --- they
22 received \$12.00 and they wanted to have the bonus of
23 \$9.00, so the line reappointed.

24 Q. When you say line you mean pilot line.
25 You have also mentioned that at a given time ships
26 wanted to do away with the bonus. When did that happen?

27 A. Before 1946, probably. Even before the
28 war, I think. I can't give you the exact date.

29 Q. You weren't a line pilot at that time?

30 A. I was an apprentice at that time.



3
1 FRENCH:

2 Q. You heard the witness talking about
3 sleeping quarters here in Quebec. What do you think of
4 the organization of this thing?

5 A. I think it is a big inconvenience
6 especially for myself and people who live outside. We
7 used to, when we came to the office, we could go to bed
8 in the office and we were wakened half an hour before the
9 ship, and if for one reason or the other the ship had to
10 anchor we could stay in bed. What happens today, we are
11 called about an hour and a half before and it happened,
12 a case to me last year. I was called around midnight for
13 a ship. I went on board and when I arrived on the ship
14 I was cancelled because the ship wasn't ready to leave,
15 so I went back to the office, and by having been cancelled
16 I fell second in turn, so I didn't have any ship until
17 the morning. So I went back home. It takes me about an
18 hour to go home, an hour and a half, and when I arrived
19 I was called again to the ship. I went back again, and
20 instead of taking the ship I was sent by the office to
21 Port Alfred, so I spent the whole night going from one
22 side to the other when I could have easily been able to
23 rest.

24 Q. Does this happen often?

25 A. No, it doesn't very often, but there
26 might have been fog. It does happen we are called in the
27 middle of the night. This is often.

28 Q. Does it happen often that you go into
29 the pilotage station where the sleeping quarters are and
30 that you have to go back home? You go to the station



1 FRENCH:

2 because you are told to report but for some reason or
3 other you have to go back home?

4 A. That doesn't happen often. It happens,
5 but not often.

6 Q. Were you in charge when these sleeping
7 quarters have been abolished?

8 A. No. I think they tried to do it at the
9 time but with the help of the Shipping Federation we were
10 able to maintain them. At that time our relationships
11 with the Shipping Federation were very good.

12 Q. This attempt to abolish these sleeping
13 quarters happened when?

14 A. I think it was in 1961.

15 Q. No, I mean the attempt you mentioned,
16 not the real abolition..

17 A. I think at the beginning of 1959.

18 Q. Can you tell us what happened?

19 A. What happened is that the person who
20 replaced Captain Jones, Captain Slocombe, told us that
21 there might be a possibility of taking the beds away.
22 They were no longer necessary.

23 Q. Were you given any particular reason for
24 that at that time?

25 A. I don't think so. At least I can't
26 see any because today it is the same women who do the
27 cleaning, the washing and the sheets were not washed
28 every day. Sometimes we used the same sheets for several
29 times.

30 Q. What measures were taken by the office



1 FRENCH:

2 to avoid this?

3 A. Well, I told you we asked the Shipping
4 Federation to help us to keep those beds so that we could
5 not delay the ships.

6 Q. To whom did you make these representa-
7 tions?

8 A. To Mr. McCallum from the Shipping Federa-
9 tion. There were several representatives of the Shipping
10 Federation.

11 Q. Were there members of the D.O.T. at that
12 particular meeting?

13 A. No.

14 Q. Did you make these representations to the
15 D.O.T.?

16 A. Well, we didn't get very good support
17 from them. Our best support came from the Shipping
18 Federation.

19 Q. How come these representations reached
20 the D.O.T. and they decided to change their mind?

21 A. Well, I don't know. I just know that we
22 made a protest a year ago that it was necessary. We
23 needed those to rest.

24 Q. To whom?

25 A. To the Pilotage Supervisor, anyway, to
26 Captain Jones, I don't know what his title was, in Ottawa
27 or in Quebec when he came to Quebec.

28 Q. Did you go to Ottawa?

29 A. Yes, several times.

30 Q. Did you inform your local superintendent



1 FRENCH

2 of this?

3 A. We were always in good relation with him
4 but he didn't have much power.

5 Q. So you went to Ottawa and you referred
6 this to Ottawa?

7 A. Yes.

8 Q. Now, can you tell us about the famous
9 or notorious Citadel, and we know that the Citadel does
10 not any longer exist.

11 A. It is a pity because it was very seldom that
12 she couldn't go out. When we had to embark during the
13 night, we went to sleep on board and we were awakened
14 when we had to go on board the ship and if the weather
15 was bad when we went into the open sea and there was no
16 delay.

17 I remember once I was on Les Escoumains and
18 two launches couldn't come out. One had no generator and
19 the crew had to jump over the water and almost drowned and
20 then the other at Anse aux Basque, something was wrong
21 with it. I don't know exactly what, so we were two days
22 there and when the storm quieted down, we called Abraham
23 Martin from Tadoussac. It was the previous boat used by the
24 pilot, when he used to work with the Citadel. Perhaps Captain
25 Slocombe will tell you it more exactly. It is used for seven
26 or eight persons so at that time there were seventeen aboard.
27 I think this is much too much for the rescue equipment.
28 So we went on board the ship one after the other.

29 Q. So all the ships were waiting for pilots?

30 A. Some of them were waiting for two days,



1 FRENCH:

2 perhaps not quite two days, but at least thirty-six hours.

3 We did not arrive all at the same time but during two
4 days.

5 Q. During two days there were ships waiting?

6 A. There was a shed on the pier.

7 Q. Does it happen often that the launches
8 at Les Escoumaines are not or cannot be used?

9 A. No. Naturally they have only the one.
10 They use one and they have another on standby at Port
11 aux Basques.

12 Q. Apart from this incident, has it happen-
13 ed that those launches were out of service ?

14 A. It might have happened but not two to-
15 gether, not in that case.

16 Q. Now, the Citadel, will you describe
17 what type of ship it is?

18 A. The Citadel was a tug in Lauzon, constructed
19 I think as a pump ship and then it was converted to a
20 pilot ship.

21 Q. When was that about?

22 A. Around 1935. I can't tell you exactly.

23 Later on we added accommodation for the pilots and it
24 became a very good ship.

25 Q. When you say accommodation for the pilots,
26 what would that include?

27 A. Include rooms with beds and bathrooms.

28 Q. And how many rooms with beds?

29 A. About fifteen pilots and apprentices.

30 Q. Fifteen pilots and apprentices? How



1 FRENCH

2 many beds altogether?

3 A. About fifteen beds.

4 Q. Were they divided in cabins?

5 A. Two per cabin and some of them had a
6 settee, sort of a settee, not all, but some of them.

7 Q. Could you eat?

8 A. Yes, we could eat and it was very good
9 food.

10 Q. Did you have to pay for this food?

11 A. Well, the Government used to pay for the
12 food and we only gave something to the waiter. You did
13 not have to. Nothing was charged.

14 Q. Were you charged something for sleeping?

15 A. No, no.

16 Q. So it was a free service?

17 A. Well, it was a service that the Depart-
18 ment had committed itself to giving us for the additional
19 eighteen miles. The Department gave us the ship but they
20 haven't always been up to the requirements because the
21 price of food has gone up and the Government did not pay.
22 They used to pay fifty cents and then it went up to one
23 dollar and the Government did not increase.

24 Q. I see the fifty cents were paid in
25 exhibit 589 and they stopped in 1962 in the middle of the
26 season. When did the Citadel stop being used for the
27 pilots?

28 A. I I recall correctly, the beginning of
29 1962. I think it is the beginning of 1962. I think it
30 came up in the fall of 1961.



1 FRENCH

2 Q. Were these services replaced, the
3 sleeping quarters? What about at Les Escoumains?

4 A. At Les Escoumains we have a hotel. We
5 go to the hotel even if we stay there only one hour and
6 then when time to embard, we are called.

7 Q. What are you charged at the hotel?

8 A. Cost \$5.50 a day, without counting taxis.

9 Q. Excuse me, but this seems like an odd
10 question: are there hourly rates?

11 A. No, we pay \$2.00 for the room and \$1 25
12 for meals. It may vary according to the hotel.

13 Q. If you have the room for one hour or
14 two hours you pay the price for a whole day?

15 A. Yes.

16 THE CHAIRMAN: Before you go to another
17 subject, we will adjourn for lunch.

18

19 ---- Luncheon adjournment.

20

21 THE CHAIRMAN: You may sit down.

22 Q. Were you a director of the Association when
23 the Department struck out the Citadel from its service?

24 A. Yes.

25 Q. While you were a director was there any
26 question of taking away the Citadel?

27

28

29

30



1 FRENCH:

2 A. Yes, a few times.

3 Q. Can you please relate to us what happen-
4 ed at that time?

5 A. Well, we took the necessary steps with
6 the Authority talking in favour of the advantages of
7 keeping the Citadel, also with the Shipping Federation
8 stating, for example, that with the stress of weather,
9 boats would be delayed if we had only some small launches.

10 Q. That was at what time?

11 A. I think it was in 1959.

12 Q. In 1959 it was mentioned. Were you one
13 of the directors when there was a move of the station
14 from Father Point to Les Escoumaines?

15 A. No.

16 Q. I think that we have heard the testimony,
17 the evidence of the pilots who had not wanted to dock
18 ships in the estuary of the St. Charles River under
19 certain circumstances?

20 A. Yes, vaguely.

21 Q. There were never any cases where you
22 were forced to dock downstream?

23 A. No, but it happened to me, yes, before
24 to dock a downstream ship.

25 Q. And you have taken the place of a
26 Montreal pilot at that time?

27 A. Yes.

28 Q. How long ago?

29 A. Well, about four or five years ago.

30 Q. That is all, thank you.



1 FRENCH:

2
3 CROSS-EXAMINATION BY MR. LALONDE:

4
5 Q. Mr. Barras, I think that you mentioned
6 that the directors at the meeting would receive one turn
7 per day of meeting. Is it not a fact that the allowance
8 is one and a half turns per meeting?

9 A. Yes, one and a half turns per meeting.

10 Q. Thank you.

11
12 ENGLISH:

13
14 CROSS-EXAMINATION BY MR. MAHONEY:

15
16 Q. I think you said this morning that you
17 received a statement each month with your cheque, a
18 document along with your cheque. Is that correct?

19 A. I beg your pardon?

20 Q. Each month when you got your cheque from
21 the Corporation there is a statement with that cheque, is
22 there not?

23 A. Yes, sir.

24 Q. Could you tell us what that statement
25 tells you?

26 A. Well, it tells us the total amount of
27 the money received, the expenses, including salary of
28 the secretary, assistant secretary, the rent and the
29 stamps, and so on, and the amount for the Class A pilot
30 and the amount for those who were sick, and then also



1 ENGLISH:

2 the amount of those who belonged to the Class C which are
3 all being deducted before making the dividend for the
4 Class B pilot.

5 Q. Were any expenses other than the admin-
6 istrative expenses, which you have outlined, any other
7 expenses shown on that statement?

8 A. There could be, like if the dues for the
9 Federation or the Guild comes on, and then it will be on
10 the sheet.

11 Q. Are you a member of the Guild?

12 A. I am a member of the Guild, yes, sir.

13 Q. Are all pilots members?

14 A. Yes, sir.

15 Q. Do you, in addition to that monthly
16 statement, receive a statement at the end of the year?

17 A. I receive an annual statement, yes, sir.

18 Q. Does that statement set out the expenses
19 of the Corporation?

20 A. Yes, sir.

21 Q. Any expenses other than the normal
22 administrative expenses which you have outlined?

23 A. Depends on what you mean "normal".

24 Q. I mean the cost of operating the office.

25 A. That is included in it, and then there
26 is the expense for the adviser, if there is any during
27 the season, or any expense that may come along.

28 Q. Are those set out separately from the
29 normal administrative expenses?

30 A. Yes, sir.



1 ENGLISH:

2 Q. Can you tell us of your own knowledge
3 how those expenses compare, similar expenses, before the
4 formation of the Corporation?

5 A. This morning I said that in 1957 the
6 expenses were about \$9,000.00, excluding the Guild.
7 Including the Guild they amounted to \$14,391.00. In 1954
8 it was \$7,627.00.

9 MR. LALONDE: Point of order, my lord, I would
10 like to have a ruling from your lordship at the present
11 time on this whole question of whether or not the detailed
12 expenses of the Corporation are going to be not only
13 available to the Commission but also be made available
14 to all parties appearing before the Commission. If that
15 is the case, will we have also at our disposal the
16 statements of the Dominion Marine Association, the
17 Canadian Shipping Owners' Association, the Shipping
18 Federation of Canada, and whatever parties are going to
19 appear before this Commission?

20 MR. MAHONEY: My lord, I would be very pleased
21 to file the statements of the Dominion Marine Association.

22 MR. BRISSET: It would also be easy, my lord,
23 to file a statement of the Shipping Federation.

24 THE CHAIRMAN: In regard to the financial
25 statements and explanation of the expenses of the
26 Corporation, I think all that is part of the overall cost
27 of pilotage and, therefore, we have to know about that,
28 if it costs that much or that little. I don't know what
29 it is at all. Maybe it is not exaggerated at all. Maybe
30 it is. That we don't know. This is why we are here, to



1 ENGLISH:

2 find out. Maybe the explanations are going to be very
3 clear and we will find after all everything that has been
4 done is very reasonable. Maybe we will find something
5 else.

6 I think as all this is reflecting on the income
7 of the individual pilot, because he has to pay for all
8 the expenses, that we have to know about that.

9 Similarly, on that line, with regard to the
10 other organizations, I have no ruling to make because they
11 just said they are willing to hand in their own statements.

12 MR. LALONDE: I have no hesitation at all, my
13 lord, in stating that these statements will certainly be
14 provided, with pleasure, to the Commission, and that the
15 Commission will have an opportunity or can ask any
16 question the Commission wants about these statements. My
17 question was more in line with whether it was made avail-
18 able only for the information of the Commission or also
19 for the other parties because up to now this has never
20 entered into the discussion concerning the tariff, what
21 the expenses of the various pilots' organizations were.

22 The ship owners are refusing to take this into
23 consideration on the basis that this was the pilots'
24 business. If they want to spend their money, they want to
25 spend it and I know that previously certain statements
26 have been put before this Commission elsewhere, in other
27 districts, which have been tabled for the information of
28 the Commission only and I am convinced that the Commission,
29 as I say, should have those statements and they will be
30 provided, but I am not quite clear whether it would be



1 ENGLISH:

2 necessary or normal that it should be put in the hands of
3 the representatives of the ship owners.

4 MR. MAHONEY: My lord, I should like to take
5 exception to what my friend has said. Certainly, on my
6 part, representing the Dominion Marine Association,
7 through the years in tariff negotiations, we have always
8 attempted to obtain breakdowns of the expenses because we
9 feel that this is a very valid and substantial factor in
10 the cost of pilotage. This is something which we have
11 always tried to obtain. I might add with very little
12 success.

13 We feel strongly that this is a part of the
14 whole pilotage picture and this is something which the
15 Commission should be aware of and something which we
16 should be entitled to comment on, and this cannot be done
17 unless these accounts are filed openly.

18 MR. BRISSET: My lord, I join in the remarks
19 of my learned friend. As far as the Shipping Federation
20 of Canada is concerned there is no objection at all in
21 making the financial statements of the Federation public
22 for all who want to look at them.

23 MR. LALONDE: In view of the fact that the
24 income of individual pilots have been made available
25 yesterday, not the income, the gross revenue of pilots in
26 1959 have been made available yesterday, I would also
27 ask that the financial statements of all the organizations
28 which are members of the Dominion Marine Association and
29 the Shipping Federation be tabled also.

30 THE CHAIRMAN: Mind you, yesterday--I questioned



1 ENGLISH:

2 this morning that exhibit 590 was not what the pilot
3 actually received. I wanted that to be known by all those
4 here, that these amounts shown there were not actually
5 what each pilot pocketed for his own, that some deductions
6 had been made at certain levels so that I wanted that to
7 be understood.

8 Well now, of course, the last part of your
9 request is quite different. Is it within our mandate to
10 investigate the financial statements of the Dominion
11 Marine Association and the other associations? While it
12 is within our mandate, within the terms of our reference,
13 in paragraph C to study, to determine the collection and
14 disposal of pilotage dues, so this is strictly within our
15 mandate so I do not think I can grant to the other one,
16 but I am obliged to go into the question of dues, what
17 is done with them before the remainder is passed to the
18 pilot.

19 Now the rule so far has been before this
20 Commission that everything be dealt with in public quite
21 openly and the only thing that we have, I wouldn't say,
22 kept secret, but we have not talked about, would be the
23 name of the pilots here and there that may be involved
24 in things that may not be necessary for our investigation
25 and in general, also, the amount, the total amount of the
26 yearly earnings of the pilotage, although all this infor-
27 mation has been available to all those concerned through
28 the exhibits that have been filed, but generally it was
29 a gentlemen's agreement between the counsel that the
30 figures, the actual figures should not be mentioned



1 ENGLISH:

2 because as you may have noticed yesterday they may be
3 quite misleading when taken out of context and so it
4 should be left to the Commission to arrive at its own
5 appreciation as to the actual earnings of each pilot. So
6 this was the only restriction, if I can say that there
7 are any, that we have made to the public hearings so I
8 do not see why, with regard to the Corporation, because
9 the pilots are also interested in knowing what is going
10 on, I am pretty sure that it is normal what is going to
11 come out, it is normal within a corporation of that size
12 and I think for the benefit of everybody, all those
13 concerned, it should be dealt with that way.

14 MR. LALONDE: I understand, my lord, that the
15 mention of earnings, to which you referred, has actually
16 been filed by the Commission counsel, and being filed by
17 private parties before this Commission although elsewhere,
18 as you have stated, the policy had been not to table these
19 officially.

20 THE CHAIRMAN: They were not tabled officially.
21 The amount was not mentioned in examination.

22 MR. LALONDE: I see, and I understand also that
23 on the north shore a private company stated that they
24 would not reveal the earnings of their pilots except for
25 the confidential information of the Commission.

26 THE CHAIRMAN: They were not licensed pilots.

27 MR. LALONDE: I did not understand, my lord.

28 THE CHAIRMAN: And also they were not, I recall
29 quite well in that case, they were not used only for
30 pilotage duties. But they were used also for foremen,



1 ENGLISH:

2 in gangs, and so on.

3 MR. MAHONEY: If I might make a statement which
4 I think could be of assistance to my friend in clarifying
5 our position, so far as I am concerned, I do not believe
6 that we are interested in knowing the actual amount of
7 money each individual pilot earned, by name. That is
8 pilot X earned so many dollars as compared with pilot Y.

9 What we are interested in, my lord, is in
10 knowing the amount of money which is available to the
11 Corporation, or whatever body is making distribution, the
12 amount of money which is reserved for administration or
13 other expenses and the amount which is available for
14 distribution to the pilots or to their pension funds.

15 Whether pilot X earns so many dollars more or
16 less than pilot Y is of no concern to us. The principle
17 involved in these things is of very much concern to us.

18 MR. LALONDE: As to the other point, my lord,
19 about the mandate or the terms of reference of this
20 Commission, they are quite wide in scope and they certainly
21 include study and the cost of pilotage to the ship
22 owners, and studying the question of the cost of pilotage
23 to ship owners certainly must study how much really it
24 costs them, comparatively to what they can pay or what
25 their earnings are, and I notice in the brief which has
26 been filed by the Shipping Federation of Canada, part of
27 this brief is given to deploring the very, very depressed
28 state of the shipping generally over the last few years.

29 I don't see how the Commission can make a
30 thorough examination of the actual costs of pilotage to



1 ENGLISH:

2 the ship owners without knowing whether they can pay it
3 or not, without knowing if that cost has increased or
4 decreased in relation to their total income or total
5 business. I would suggest that it would be a worthwhile
6 in finding really what the situation is and having all
7 these financial statements made public. Maybe I would
8 be satisfied with the earnings of the agents.

9 THE CHAIRMAN: Is it that you wish us to sit
10 another five years? In order to make a complete investi-
11 gation we will be obliged to look into all the shipping
12 companies, Venezuela, Panama, everywhere. This would be
13 an investigation of world shipping. As you may have
14 noticed from our records in previous hearings we have
15 given a ruling on a request of that kind made by your
16 friend Mr. Langlois. It was regarding the Kitamat
17 Shipping and it was requested that they and subsidiary
18 companies give their financial statements so we could
19 find out whether they were being paid. We ruled out
20 that for the same reason. The same thing happened also
21 in North Sydney with regard to the question of subsidies
22 being given to the companies for shipping coal by rail
23 or by water. I think this is quite out of our terms of
24 reference, and we cannot deal with it.

25 MR. LALONDE: Thank you, my lord.

26 THE CHAIRMAN: Now, with regard to your
27 question there, this is one where there might be another
28 rule. We might find some individual pilots may complain
29 that these funds, that these expenses are high and the
30 Federation was not. Maybe this would be a valid question.



1 ENGLISH:

2 I am just wondering, to ask this witness all the questions
3 does it serve the purpose when you have more competent
4 witnesses to come later on and you could reserve your
5 questions in this respect to this witness. We will see
6 he is here when you need him.

7 MR. MAHONEY: I would be quite prepared to wait
8 for another witness or, if it doesn't appear with another
9 witness, then have this witness give evidence later on.

10 MR. LALONDE: The Secretary-Treasurer of the
11 Association and Corporation will be in the box in order
12 to table all these balance sheets.

13 MR. MAHONEY: My lord, I would submit, however,
14 that as a non-member of the Corporation this witness is
15 in a position to give the Commission a rather different
16 slant, to give perhaps a different view of the circumstan-
17 ces than, for instance, a member of the Corporation.

18 THE CHAIRMAN: That is all right. If you wish
19 to put the question right now or wait until later.

20 MR. LALONDE: Do you want views or facts?

21 MR. LANGLOIS: This is a fact finding commission.

22 MR. LALONDE: This witness can say I feel it
23 is too much, my view is it is too much or I think it was
24 cheaper before than it is now, but as to the actual
25 details, the statements of the balance sheet, let us wait
26 for the balance sheet and examine the facts.

27 THE CHAIRMAN: Those will be the facts.

28 MR. LALONDE: That is all that this witness
29 could give.

30 THE CHAIRMAN: You will put that question to



1 ENGLISH:

2 the witness later on and we will see the witness is made
3 available for you.

4 MR. MAHONEY: That is quite satisfactory. I
5 have no further questions.

6 THE CHAIRMAN: No further questions you wish
7 to put?

8 MR. MAHONEY: No.

9
10 CROSS-EXAMINATION BY MR. BRISSET:

11
12 FRENCH:

13 Q. Mr. Barras, to what class of pilots do
14 you belong, are you A or B?

15 A. I am class B.

16 Q. How many pilots of class A are there in
17 the Quebec District?

18 A. Ten.

19 Q. Are you in a position to tell me how
20 these pilots of class A are chosen?

21 A. They are selected amongst those who have
22 the most seniority. Those have the most, the greatest
23 number of years of service amongst the ten.

24 Q. It is based upon years of previous
25 service?

26 A. Yes.

27 Q. You told us that you had received from
28 the Corporation or from those who were directly interested
29 in the creation of this Corporation which has been
30 incorporated in 1960 a membership form that you refused



1 FRENCH:

2 to sign?

3 A. I refused such a document. I was a
4 member and I seen it.

5 Q. When you mention a member you mean a
6 member of the Association?

7 A. Yes.

8 Q. Did you keep this form or do you have a
9 copy of that form available?

10 A. I couldn't tell you. I would have to
11 look through my papers. I don't know if I still have
12 the document.

13 Q. Do you recall what type of form it was
14 or what it contained, what were its general terms?

15 A. Well, if I remember correctly, I think
16 there was a paragraph which was asking us to resign from
17 the Association and to belong to the Corporation.

18 Q. What do you understand by leaving the
19 Association?

20 A. Well, that is what we were signing, to
21 the effect that we were abandoning the Association. We
22 were resigning from the Association, but this was good
23 so long as the members followed suit.

24 Q. It was provided that if all members of
25 the Association signed that request to abandon the
26 Association the Corporation would take over?

27 A. To my mind, yes. I am not a counsel.
28 That is what I understood.

29 Q. Was there anything else in this member-
30 ship form which you can remember?



1 FRENCH:

2 A. I don't remember.

3 Q. Was there any proxy form authorizing
4 the Corporation to receive all the income of the pilots
5 who would become members of the Corporation in other
6 words?

7 A. I understand you very well, but I don't
8 remember. I can't tell you.

9 Q. You don't remember if there was this
10 proxy form with the membership form?

11 A. No.

12 Q. Anyway you have told us that when you
13 received your pay this comes through a cheque which is
14 signed by the Corporation of Pilots of Lower St. Lawrence?

15 A. This is right.

16 Q. Do you know which way the Corporation
17 obtains that these moneys are transmitted to them, these
18 funds which normally, if I understand you properly,
19 should go to the pilots?

20 A. I don't know. I don't know even which
21 way. According to Mr. Rousseau the moneys remain to the
22 Association. I don't know how transmission is made to
23 the Corporation.

24 Q. You don't know how these moneys which
25 are given to the Association are getting transferred to
26 the Corporation? Have you asked about the way this was
27 being done?

28 A. No.

29 Q. Now, you say that you received notice
30 of a meeting of the Association of Pilots of Quebec at



1 FRENCH:

2 the same time as notice of the meeting of the Corporation
3 of Pilots of Lower St. Lawrence, and also notice of the
4 meeting of the old corporation which is interested in the
5 pension?

6 A. That is true.

7 Q. Did you receive these notices on the
8 same form?

9 A. That is to say there are Association ---
10 we don't receive all the notices --- we receive notices
11 as far as the Association is concerned. There are certain
12 things dealing with the Corporation we don't receive.

13 Q. Not being a member of the Corporation
14 would you be entitled to attend meetings of the Corporation?

15 A. According to being a member?

16 Q. Not being a member of the Corporation?

17 A. At times some have attended already,
18 but they don't have the right to speak.

19 Q. But you are not forbidden to go and
20 attend these meetings?

21 A. Well, I never went there so I couldn't
22 say personally, but I know that some of my colleagues
23 went there.

24 Q. You say some of your colleagues, you
25 mean colleagues who are not members of the Corporation?

26 A. Right, who are not members of the
27 Corporation.

28 Q. You have mentioned a case a while ago
29 of one of your colleagues who had been expelled from a
30 meeting if I understood you properly?



1 FRENCH:

2 A. Pardon me?

3 Q. You mentioned a while ago the case of a
4 colleague expelled from a meeting. Did I understand you
5 properly?

6 A. Well, if I remember properly, I didn't
7 say he was expelled. I said he was not permitted to
8 speak.

9 Q. All right, that is what you meant. To
10 come back to the membership form, was it submitted to you
11 at the time a copy of the by-laws which were proposed by
12 the Corporation?

13 A. I have right now at my home a copy of the
14 by-laws of the Corporation.

15 Q. Was this submitted to you at the same
16 time as the membership form?

17 A. Probably, I don't remember.

18 Q. To come back to the payments which you
19 receive from the Corporation, you have told us a while
20 ago that there was a statement which was attached to your
21 cheque?

22 A. Yes.

23 Q. Does the statement represent the state-
24 ment of the books of the Corporation or the Association
25 for the given period?

26 A. As much as I can see it is a statement
27 coming from the Corporation.

28 Q. So does it appear on the statements,
29 the administration costs of the Association and of the
30 Corporation for the period concerned?



1 FRENCH:

2 A. The statement which we receive every two
3 weeks, there is no specification of which expenses are for
4 the Corporation and which are for the Association.

5 Q. Just administration expenses?

6 A. Yes.

7 Q. How do you know those are the administra-
8 tion expenses of the Association or of the Corporation or
9 of both?

10 A. We can't see. We don't know. There is
11 nothing indicating whether it is pertaining to the Corpor-
12 ation or the Association.

13 Q. At any event, in these expenses, these
14 administration expenses, would they be for the Corporation
15 or for the Association?

16
17 They are deducted from the net income?

18 A. Right, yes.

19 Q. And you say, referring to these deductions,
20 you made a remark a while ago that the administration
21 expenses have increased tremendously.

22 A. Yes.

23 Q. Although, you don't know whether those
24 are the expenses of the Association or of the Corporation?

25 A. No.

26 Q. In any event, if we take this for granted,
27 these are the administration expenses of the Corporation,
28 would it be true to say that you contribute to these
29 expenses yourself without being a member of the Corporation?

30 A. Yes, I contribute the full amount without



1 FRENCH:

2 being a member of the Corporation.

3 THE CHAIRMAN: In other words, on the statement
4 there is no distinction for the six members of the
5 Association who are not members of the Corporation?

6 THE WITNESS: No, your lordship.

7 THE CHAIRMAN: They are on the same form and
8 the same deductions are made from all of them?

9 THE WITNESS: Yes, my lord.

10 MR. BRISSET: Q. You have spoken to us of
11 a case of the administrators of the Corporation for whom
12 a certain number of trips are voted as a compensation for
13 attending meetings of the executive. You remember
14 mentioning these imaginary trips, to use your expression?

15 A. Yes.

16 Q. Is it true to say that what is wanted, as
17 a matter of fact, is the salary of the members of the
18 administration board, because every trip, according to
19 your figures is worth \$120.00 or \$125.00?

20 A. That is right, yes.

21 Q. So, in order to find out the real salary
22 of an administrator for a season you have to take the
23 number of trips which are allowed to him and the adjust-
24 ment made at the end of the season?

25 A. We figure this out at the end of the
26 season.

27 Q. Taking the example which you have given
28 before, twenty trips granted to an administrator this year
29 up to now, this would be a salary of about \$2,400.00?

30 A. Yes, up to now.



1 FRENCH:

2 THE CHAIRMAN: We must say it is an exceptional
3 year. There was the Royal Commission on Pilotage coming
4 here.

5 MR. BRISSET: Q. Did you figure out or can
6 you tell me what were the trips which were allowed to the
7 administrators last year?

8 A. No, I have no idea of the number of trips,
9 although it is indicated quite often on this sheet of the
10 Department. I am not in their office enough. I don't
11 know.

12 Q. In the statements which are submitted to
13 the pilots every two weeks or at the end of the year is
14 it possible for the pilot who is not a member of the
15 administration board to find out what was the real salary
16 which is paid to the members of the administration board
17 through this procedure?

18 A. It is possible, but it does not appear.

19 Q. When you say it is possible, what should
20 be done?

21 A. Salaries take into account the number
22 of trips which has been allotted. I think the Department
23 does the same thing in its keeping of them.

24 Q. To your knowledge has the question ever
25 been mentioned of paying fixed salaries to the members of
26 the administrative board rather than using this method,
27 according to your knowledge?

28 A. Well, if I am well informed I think it
29 has been mentioned that some administrator president wanted
30 to have a fixed salary voted for them, but I wasn't



1 FRENCH:

2 present at the meeting.

3 Q. Well, you have told us that during the
4 years before the establishment of the Corporation the
5 administration expenses were about \$9,000.00 a year, and
6 you added to this amount the contribution to the Merchant
7 Guild, the expenses reached about \$14,000.00. On that
8 basis and taking for granted, let us say, for the year
9 1959, you had seventy-seven pilots, the calculations which
10 I have made indicates that the administration expenses
11 per active pilot would be \$74.00 if we don't take into
12 account the contribution to the Guild or about \$200.00 if
13 we take into account the contribution to the Guild.

14 A. Well, this morning I said approximately
15 \$9,000.00, but I think it probably was more because the
16 amounts which we paid to the Guild was less than the
17 difference between \$9,000.00 and \$14,000.00.

18 Q. Anyway, taking into account the contri-
19 bution to the Guild, the administration expenses per pilot
20 were about \$200.00 per year?

21 A. About that.

22 Q. Can you tell me now what was the amount,
23 taking into account each pilot, in relation to each pilot,
24 the amount of administration expenses in 1962? I think
25 you have a document or balance sheet.

26 A. I think approximate the total amount
27 was ----

28 MR. LALONDE: My lord, I think we may have the
29 same problem as before. My colleague, Mr. Maloney, was
30 going to wait until some of the statements would be tabled



1 FRENCH:

2 with all the explanations for the business and for the
3 expenses, and so forth, and I would think Mr. Brisset
4 would be the same. It was be of advantage to everyone.

5 MR. BRISSET: I am certainly ready to accept
6 any decision of your lordship. At the present time I am
7 concerned, I am interested in getting other statments,
8 the statements which the witness has with him.

9 THE CHAIRMAN: On this question, Mr. Brisset,
10 I would like to add something so that everyone would know
11 it also. There are several witness, and if I am not
12 mistaken, including this witness which is presently on
13 the stand, have been got by subpoena, and didn't even
14 know they were coming here. In the case of the witness
15 here, he was one of those who weren't members of the
16 Corporation and therefore he is asked in order to find
17 out the reason why he was not a member of the new
18 Corporation, and therefore get a different opinion, a
19 different look into the subject of people who are not
20 with the Corporation. The witness, of course, must
21 answer the questions and this can put him in an embarass-
22 ing position with his colleagues. I want to say that
23 most of these witnesses didn't know that they were going
24 to come here.. They have received subpoenas. In order
25 to decide whether you want to go on with the question,
26 do as you please. The question is permitted if you want
27 to put it.

28 MR. JACQUES: If it pleases the Commission,
29 I would like to ask the witness to show me the document
30 which he had in his hands when he started answering the



1 FRENCH:

2 question of Mr. Mahoney. With the permission of the
3 Commission and if my colleague consents, I would like to
4 enter into the questioning for a few minutes.

5

6 RE-EXAMINATION BY MR. JACQUES:

7

8 Q. Mr. Barras, the document I am showing
9 you and which you have given to me, where did you get it?

10 A. A colleague gave it to me at noon,
11 because as the judge said I wasn't aware of the questions.
12 I wasn't prepared, in consequence.

13 Q. This document which I am showing you and
14 which you have given to me a while ago, can you tell me
15 where you got ahold of that document?

16 A. This is one that my colleague gave me
17 because as the honourable judge said I wasn't aware of
18 the questions which were going to be asked of me and I
19 wasn't prepared in consequence.

20 MR. JACQUES: Thank you.

21 MR. BRISSET: Mr. Jacques, may I see the
22 document?

23 MR. JACQUES: You can see it if you want.
24 I certainly have no objection. I just wanted to know if
25 this document came to the witness by the Corporation.

26 THE CHAIRMAN: Please show the document to the
27 counsel.

28 MR. LALONDE: Your lordship, this is a document
29 which is not signed by the witness and it doesn't come
30 from him. It is not prepared by him. It has no official



1 FRENCH:

2 value as such. It is not a statement which has been
3 verified by a certified accountant or anything like this.
4 It is a mineographed document.

5 THE CHAIRMAN: I understand that the witness
6 is certainly not in a position to deposit this document
7 because as he said himself he can't tell us about the
8 origin of this document. He has received it from a
9 colleague. This might be similar to what he already
10 received, but if he received one that isn't the one he
11 has received. I think under the circumstances we cannot
12 permit this document to be deposited by this witness.
13 His colleague who had received this document might come
14 and explain it. I think this will be clarified later.

15 MR. LALONDE: Your lordship, if this document
16 cannot be produced I think it is the rule that it may not
17 be used either.

18 THE CHAIRMAN: Up to now it has not been
19 mentioned in the questioning.

20 MR. LALONDE: It is at the disposal of the
21 witness. It has been shown because it is a document
22 that has been discussed on certain instances.

23 MR. BRISSET: Your lordship, I am entirely ready
24 to suspend the examination of this witness on the question
25 of administration expenses until such a time as official
26 statements have been produced before the Commission.
27 I will therefore stop questioning him on this subject.

28 THE CHAIRMAN: The document which has been
29 prepared certainly comes from somewhere. It contains
30 interesting information which certainly will be explained



FRENCH

1 CROSS-EXAMINATION BY MR. BRISSET, (Continued):

2 and the evidence will be eventually be given.

3 Q. Mr. Barras, you are aware,

4 I imagine, that in addition to the Corporation of the
5 St. Lawrence and other corporations of other districts
6 there is ~~another~~ association which is called the Federa-
7 tion of St. Lawrence Pilots?

8 A. Yes, I am aware of it. I belong to the
9 Federation also.

10 Q. You belong to this Federation?

11 A. Yes.

12 Q. How do you belong to the Federation?

13 A. Well, I was president when the Federation
14 was set up. This was at the time of Bill 3 when there
15 was so much panic with the pilots. We didn't know where
16 to go so we rushed in the arms of the Federation in order
17 to protect our rights. This is when the Department
18 wanted to exempt the ships of Franco and DeGaulle and we
19 didn't see any reason why we should exempt DeGaulle and
20 Franco when they have never exempted Canadian ships from
21 pilotage fees.

22 Q. This is how you became a member of this
23 Federation?

24 A Exactly.

25 Q. Which you have just described to us?

26 A. Yes.

/mr/md 27 Q. This is the Federation which went to war
28 against Franco at that time?

29 A. Yes, Le Grand Charles.

30 Q Are you still a member of this Federation?



1 FRENCH:

2 A. Yes, I am.

3 Q. How much do you pay for your dues
4 because I imagine you have dues to pay to this Federation?

5 A. If I remember properly dues are deducted
6 twice a year. These are deducted before we get our pay
7 cheque. The amount is taken in and given to the Federa-
8 tion.

9 Q. Who makes the deductions? The secretary
10 of the Corporation?

11 A. The secretary, I don't know if the
12 secretary of the Corporation or the secretary of the
13 Association but it is one of the two secretaries.

14 Q. Those dues are being deducted from your
15 income?

16 A. Yes, sir.

17 Q. And this is transferred to the Federation
18 twice a year?

19 A. Yes.

20 Q. What is the amount of the yearly contri-
21 bution? Is it stable? Is it always the same or does it
22 vary?

23 A. It has increased a little bit since the
24 beginning of the Federation as the expenses have increased.
25 I cannot answer. If I remember properly, and if I am
26 mistaken someone will tell me, I think it is \$100.00 a
27 year.

28 Q. And this is in addition to what you pay
29 to the Corporation to participate in the administrative
30 expenses?



1 FRENCH:

2 A. That is correct.

3 Q. When you say that those dues have been
4 increased and you indicated a figure of \$100.00, was it
5 \$100.00 before the increase or after the increase?

6 A. After the increase.

7 Q. What was it before the increase?

8 A. If I remember correctly, I think it was
9 \$50.00.

10 Q. And in which year was it increased?

11 A. Well, 1962 I think, but I cannot certify
12 to that.

13 Q. It was the year of the general meeting?

14 A. Maybe.

15 MR. LALONDE: And of the Royal Commission.

16 Q. You are aware of the fact that in April
17 of 1962 there has been a general meeting of pilots which
18 went on for a certain number of days?

19 A. In 1962?

20 Q. Yes.

21 A. Yes.

22 Q. Did you take part in this meeting?

23 A. Yes.

24 Q. In what capacity? As a member of the
25 Association or as a member of the Federation?

26 A. Well, as a member of the Federation.

27 Q. Were you on the administrative board at
28 that time?

29 A. No, sir.

30 Q. Were you at some time on the administrative



1 FRENCH:

2 board of the Federation?

3 A. No, sir. Oh, excuse me, I was on the
4 executive at the time of the founding of the Federation
5 only for a few months.

6 Q. After that you had nothing to do with the
7 Federation, after those two or three months which you
8 mentioned?

9 A. That is correct.

10 Q. Did you, as a matter of fact, attend the
11 general meeting during the seven, eight or ten days?

12 A. No, none of the sessions.

13 Q. For what reason?

14 A. I was not in favour of this strike, Dur-
15 ing the strike of 1960 a number of pilots had met and were
16 gathered all over the place and we sent a telegram to the
17 President at the time who was Mr. Boyer asking him not
18 to do anything without thinking about it or consulting
19 the Authority because we were under the impression that
20 there were civil servants who wanted the pilots to go on
21 strike as to hold it against them afterwards.

22 Q. Now, you are talking to us of what took
23 place in 1960?

24 A. Yes, eighteen pilots have filed a petition
25 of protest against the threat of strike.

26 THE CHAIRMAN: Was it Quebec and below?

27 THE WITNESS: Yes, Quebec and below only.

28 This is a group which was formed very quickly because we
29 were so many who were at Quebec signed that petition.

30 Q. But who made the decision of calling the



1 FRENCH:

2 strike at that time? Who was responsible for it?

3 A. I did not attend the general meeting.

4 I cannot tell you how it took place exactly.

5 Q. In any event, there were eighteen pilots,
6 including yourself, who were opposed to the strike?

7 A. That is right.

8 Q. In 1960, and the strike did not take place?

9 A. No, it did not take place.

10 Q. Now, in 1962 you told us that you were
11 also against the strike?

12 A. Correct.

13 Q. Did you tell your decision ----

14 A. Yes, of course, we discussed it amongst
15 ourselves but we were under the impression that nobody
16 wanted to except the civil servants, nobody guaranteed
17 that we could travel freely and the fact that we wanted
18 to charge \$25.00 for transporting the pilots, this is a
19 perfect service. We were under the impression that they
20 just wanted to do away with pilotage and that it was
21 discrimination against us. We didn't know how to take it.

22 Q. So let us come back to what you told us
23 previously. You told us you were against that strike in
24 1962. Now, you led us to understand when you were talking
25 to me before that you were the only one to be opposed to
26 such a move?

27 A. No, I was not the only one.

28 Q. In 1960 did you meet a certain number of
29 pilots?

30 A. No.



1 FRENCH:

2 Q. But you said that you were not the only
3 one. Could you give us more detail or more information as
4 to the number in your district who were opposed to that
5 strike?

6 A. That is to say between the colleagues we
7 always discussed and we knew immediately all those who were
8 in favour or against but we didn't know what basis we
9 could use in order to make people understand exactly what
10 we wanted because the civil servants did not seem to give
11 us the guarantees we needed.

12 Q. When you are talking about guarantees,
13 do you mean at that time you were ready to do some pilot-
14 age despite the strike, yourself?

15 A. Well, perhaps I would have done some
16 pilotage despite the strike if the question of dues from
17 the pilot boat to the pilot had not been raised.

18 Q. Is it not true that very soon, in the
19 course of the discussions held at that time, you were
20 advised by the Authority that these deductions or this
21 charge would not be made and that this project was being
22 abandoned to impose a charge for this service of the
23 pilot ship?

24 A. The charge that would be imposed upon the
25 pilot himself?

26 Q. You were aware of that?

27 A. I don't understand your question.

28 Q. I am going to repeat my question. I was
29 asking you if you had been made aware that shortly after
30 the onslaught of the strike the interested parties have



1 FRENCH

2 advised the pilots that this project for imposing a charge
3 for the use of the pilot ship would be abandoned?

4 A. No, I don't recall but I have been informed
5 about that.

6 MR. LALONDE: Perhaps my colleague should give
7 evidence on how he came to that conclusion.

8 THE CHAIRMAN: This is only a question and as
9 I have indicated previously what a counsel may put in a
10 question is not part of the evidence. The evidence is
11 represented only by what the witness answers.

12 Q. At any rate, you and all those who were
13 against refused to go aboard ships or to give pilotage
14 service until the strike was officially terminated?

15 A. Yes.

16 Q. You told us previously, or rather this morning,
17 that one of the many reasons for which you did not become
18 a member of the Corporation was that you were afraid in case
19 of a strike that there would be some recourse and damage
20 exerted by the Corporation?

21 A. Yes.

22 Q. Didn't you think that such similar course
23 would have been exercised against you personally if you
24 had refused to work?

25 A. Against me personally, yes, but not
26 against the Association.

27 Q. But what difference is there between those?

28 A. The Association was not responsible for
29 its members.

30 Q. Now you gave us the reason for not becoming



1 FRENCH:

2 a member of the Corporation.

3 Are there any other reasons which serve as a basis for
4 your decision?

5 A. Yes.

6 Q. Would you please give us some details?

7 A. Well, in the first place I was a witness.
8 I attended a few meetings for the organization of that
9 Corporation and perhaps I am a bit of a skinflint myself
10 but I thought the expenses would be too high.

11 Q. Are there any further reasons?

12 A. Well, the reasons I enumerated this
13 morning.

14 Q. Were you given at that time an estimate
15 of what the expenses would be?

16 A. No. I was more or less aware of them
17 according to conditions.

18 Q. Well, on what did you base your conclusions?
19 How were the conditions?

20 A. There was mention of giving travelling
21 two or four trips, trips to directors for each meeting.
22 That was one of the main reasons.

23 THE CHAIRMAN: If you excuse me, Mr. Brisset,
24 I would like to ask a question beforehand. Whenever a
25 director had to go to Ottawa, what would happen to his
26 turns?

27 THE WITNESS: They would have them again. If
28 there were two or three trips, take back our turns. This
29 was a free service.

30 THE CHAIRMAN: Just as the alderman in the



1 FRENCH:

2 olden days. Just like a school examiner, this was a
3 general thing in olden days.

4 THE WITNESS: It seems this regulation has
5 changed nowadays.

6 MR. LANGLOIS: Even members of parliament in
7 olden days.

8 THE CHAIRMAN: If we go back further it seems
9 that even at the beginning, even the lawyers.

10 MR. LANGLOIS: One must go back very far.

11 MR. JACQUES: Must have been a very long while
12 ago.

13 Q. Mr. Barras, you gave us your reasons for
14 not becoming a member of the Corporation and one of the
15 main reasons was that you did not want to pay expenses
16 that you were foreseeing for the future. But, on the other
17 hand, you told us that these expenses were deducted
18 naturally from the earnings that you received. Could you
19 please indicate to me what is the difference?

20 A. Well, perhaps if you are generous like
21 lawyers in the olden days, perhaps you are going to work
22 for me free of charge in order to claim what is coming
2 23 to me.

24 Q. So it was your intention to ask for what
25 is due to you?

26 A. Yes.

27 Q. And you are going to ask me, under
28 certain circumstances, to undertake this type of work for
29 you?

30 MR. JACQUES: Of course, it is forbidden to



1 FRENCH:

2 solicit.

3 Q. While you were busy with the administra-
4 tion of the Association, were you a member of committees
5 of board of examiners for apprentices and then for
6 apprentice pilots?

7 A. You mean future pilots, apprentice pilots?

8 Q. Who were to become pilots or recruited
9 pilots who became apprentices?

10 A. No, only Mr. Rousseau was concerned with
11 them.

12 Q. But you were a member of the board of
13 examiners for apprentice pilots who became pilots or who
14 wanted to become pilots?

15 A. Yes.

16 Q. What was the last year during which you
17 were a member of that committee?

18 A. Well, I was there for ten years, between
19 the years 1947 and 1959.

20 Q. And you have not been a member of the
21 board of examiners ever since 1959?

22 A. No.

23 Q. Who now sits on that board of examiners?

24 A. I am not very much aware. Perhaps it
25 would be better for you to ask this question to the
26 president today.

27 Q. On this committee, or ever since 1959
28 was there a pilot who was not a member of the Corporation
29 of Pilots, one of the six that you have mentioned?

30 A. No.



1 FRENCH:

2 Q. Were they invited to take part?

3 A. No, because generally speaking the
4 directors are members of that board of examiners and all
5 those who were not members of the Corporation of Pilots
6 cannot be directors because the question concerned only
7 the members of the Pilot Corporation.

8 Q. So those who are not members of the
9 Corporation of Pilots, in other words, cannot be a member
10 of this board of examiners for pilots?

11 A. No.

12 Q. Do you know yourself if an apprentice
13 who wants to become a pilot, before becoming a pilot must
14 commit himself to become a member of the Corporation
15 before being accepted?

16 A. No, not before. After. That is to say,
17 he is free to sign --- he is not forced. He is not forced
18 to sign this membership form.

19 Q. Everybody is free to become a member of
20 the Corporation?

21 A. Before or after the examination ----
22 I don't think it is before the examination. I think the
23 Corporation interest is only in pilots.

24 Q. Now, apprentices are not members of the
25 Corporation. That is what you want to say?

26 A. No, the apprentices are not members of
27 the Corporation.

28 Q. Mr. Barras, I have before me the names
29 of six apprentices, or rather five apprentices who have
30 become temporary pilots class A, 1962 and 1961. I would



1 FRENCH:

2 like to give you their names.

3 J. Lionel Gilles Chouinard

4 J. Ernest Ireneé Drolet

5 J. Henri Laurent Dube

6 J. Edmond Purre Lamontagne

7 J. A. P. Andre Leduc.

8 Are there any amongst these five who are or
9 did not become members of the Corporation?

10 A. No.

11 THE WITNESS: Now, my lord, I have been asked
12 questions for quite a long time and I would like to ask
13 a question of Mr. Brisset now.

14 THE CHAIRMAN: He is not a witness. What do
15 you want to know exactly?

16 THE WITNESS: Mr. Brisset, I have read your
17 brief, the first part of the brief and I considered it
18 with pleasure that you consider us as your employees
19 because the Shipping Federation pays the pilots. Is that
20 not true?

21 MR. BRISSET: Thank you for your words.

22 THE CHAIRMAN: Naturally it is quite difficult
23 because Mr. Brisset is not a witness.

24 THE WITNESS: So I cannot ask any questions
25 from Mr. Brisset?

26 THE CHAIRMAN: No.

27 THE WITNESS: Then I apologize.

28 MR. BRISSET: Now, if you have a statement to
29 make, I am sure that the Commission will authorize you to
30 state publicly anything you want to say.



1 FRENCH:

2 MR. JACQUES: If you have read the brief of
3 the Shipping Federation and the other pilots' briefs and
4 if you want to make comments on either of these two
5 briefs, or even on the brief of Mr. Koenig, which has
6 been filed, you may feel entirely at ease to make any
7 comments you would like to make.

8 THE CHAIRMAN: It would be preferable, although,
9 that you make your comments later on.

10 MR. JACQUES: My lord, I think that in order
11 to go on asking questions of the witness, I think we will
12 wait until we are through cross-examining this witness.

13 THE CHAIRMAN: Not only that, but the other
14 parties concerned should also be in a position to put
15 forth their arguments at the end of the session.

16 THE WITNESS: What I would like to know, my
17 lord, I would like to know if, yes or no, it was true,
18 because I would have been so glad to find out if we had
19 a good father looking after our interests.

20 THE CHAIRMAN: If it is only that.

21 THE WITNESS: Can I add something, my lord?
22 Now, in that case, if you are the employer, Mr. Brisset,
23 you are going to contribute up to five per cent for the
24 pilots' pension fund like is done everywhere else.

25 THE CHAIRMAN: Do you have any further questions
26 to ask this witness before we adjourn for a few moments?

27 MR. BRISSET: I was looking at the names of
28 the pilots. I think my contribution would be quite high.

29 THE CHAIRMAN: We will adjourn for a few moments.

30 --- Short recess.



1 FRENCH:

2 MR. LALONDE: Before proceeding with the cross-
3 examination of the witness who was in the witness box,
4 may I ask my colleagues for authorization to make some
5 comments concerning three briefs, that of the Shipping Feder-
6 ation, that of the St. Lawrence River Pilots as well as
7 others submitted by Mr. Koenig. My clients and myself
8 have had time to read Mr. Koenig's brief which has been
9 filed at the beginning of the hearings. I must say that
10 the import of the brief would be of libelous nature if
11 the allegations contained therein weren't so extravagant
12 that they are a comedy rather than an argument presented
13 before the Commission. It is doubtless that all the
14 members of the Commission as well as all the parties
15 will see through that brief. It is much too dangerous
16 for people who are not so well informed and might be
17 disturbed by reading such a document. It seems to me
18 that not everything will be accomplished by the Commission
19 in the Quebec sitting and certainly witnesses will be
20 called at another sitting. It would be prejudicial for
21 the interests I represent to let people make such slander-
22 ous observations, and in consequence, on behalf of the
23 Corporation of Pilots of Quebec and on behalf of the
24 pilots of the Quebec Harbour and of Quebec, as well as
25 for the Corporation of the Lower St. Lawrence River, I
26 ask that Mr. Koenig be asked to appear before the
27 Commission without any delay so he may explain the state-
28 ments if he can and the data that is submitted in the
29 brief submitted to this Commission.

30 MR. JACQUES: May it please the Commission,



1 FRENCH:

2 Mr. Koenig is the next witness.

3 THE CHAIRMAN: That answers the question.

4 MR. JACQUES: Q. Mr. Barras, you talked about
5 a general meeting on the strike and you talked about a
6 general meeting that was convened in 1960. Do you remem-
7 ber that?

8 A. Yes.

9 Q. I think that on that occasion some
10 telegrams were sent to pilots, is that true?

11 A. It is quite possible that telegrams have
12 been sent to pilots. If I recall correctly we asked
13 colleagues who were around Quebec because this was during
14 navigation season and we could obtain eighteen signatures
15 which we sent by telegram to the president of the
16 Federation at that time, Mr. Bailley.

17 Q. Before you obtained these signatures as
18 you say you had received one or more telegrams from Mr.
19 Bailley who at that time was president of the Federation
20 of Pilots?

21 A. No, I don't recall. I couldn't answer
22 your question. I can't remember that now.

23 Q. However, you told us about the fact you
24 obtained eighteen signatures and that you sent those by
25 telegram. Do you remember exactly how you proceeded in
26 order to obtain such signatures?

27 A. Well, we had filed the petition.. I
28 have it here with me. I could show it to you if you wish.

29 Q. Yes, please do. Before asking for
30 authorization to file that document I should like to ask



1 FRENCH:

2 a few questions of the witness. This is a typewritten
3 document which bears no written signature?

4 A. This is only a copy. I don't know
5 exactly where the real copy is, but I could certify to
6 you that this copy is true.

7 Q. I see that your name is at the top of
8 the list of those who signed that telegram?

9 A. Yes.

10 MR. JACQUES: I would like to file the document.

11 THE CHAIRMAN: You have prepared that document,
12 then?

13 THE WITNESS: That is to say it has been
14 prepared by somebody else, but I was there when the
15 document was prepared.

16 THE CHAIRMAN: Who obtained the signatures?

17 THE WITNESS: Well, myself and another colleague.

18 THE CHAIRMAN: And this petition was sent to
19 someone?

20 THE WITNESS: To the president of the Federa-
21 tion at that time, Mr. Bailley, in Three Rivers.

22 THE CHAIRMAN: So Mr. Bailley should have the
23 original of the document?

24 THE WITNESS: It is a telegram.

25 MR. LALONDE: My lord, this is a telegram that
26 has been sent to the Federation. I am told that this
27 telegram exists. I will be happy to put it at the dis-
28 posal of the Commission at your pleasure, my lord.

29 MR. JACQUES: Q. So, my lord, for cross-
30 examination purposes of the witness we will replace this



1 FRENCH:

2 document with the original. I would like in the meantime
3 to file this document as exhibit 593. It is a document
4 which is supposed to be a copy of the telegram dated
5 October 13th, 1960.

6 A. That is true.

7 Q. From where was it sent?

8 A. From Sorel, I think.

9 Q. I would like to read this document.

10 A. I think it is from Sorel, but it was
11 sent --- I can't certify.

12

13 --- Exhibit No. 593: Telegram dated October
14 13th, 1960, to Mr.
15 Bailey.

15

16 Q. Addressed to Mr. J. M. Bailey, President
17 of the Federation of Pilots, 60 St. James Street West,
18 Montreal.

19

20 " We reaffirm our solidarity with our
21 colleagues, but we suggest that the general
22 meeting be held later on for the following
23 reasons:

24 One, all members of the Confederation should
25 be consulted democratically on the pertinency
26 of convening a general meeting.

27 Two, simple statements officer of the Depart-
28 ment concerning eventual exemptions of Lake
29 ships, American as well as Canadian, and it
30 does not seem to be a serious reason in order
to justify stoppage of work at the present



1 FRENCH:

2 time.

3 Three. Because of the recent nomination of
4 the new Minister we believe that the latter
5 should have the necessary opportunity to get
6 to know our problems and to take steps."

7 THE CHAIRMAN: So you file this document as
8 exhibit 593.

9 MR. JACQUES: Yes, my lord. It is signed by
10 eighteen persons. Those are pilots? Those are pilots,
11 the signatures of pilots, all these names in exhibit 593
12 are signatures of pilots?

13 THE WITNESS: Yes. From the Quebec District
14 only.

15 Q. This exhibit 593 mentions that the
16 members of the Confederation should be consulted on a
17 democratic basis concerning the possibility or pertinency
18 of holding a meeting. Can you please explain the state-
19 ment?

20 A. Because even the delegates decide to
21 make the decision, and not the pilots. Never to my
22 knowledge was there a secret vote taken in favour of a
23 strike.

24 Q. You have never been convened by your
25 Federation in order to vote concerning the pertinency of
26 a strike?

27 A. There was never any secret vote.

28 Q. It is only delegates who vote? Can you
29 explain the expression "delegate member"?

30 A. There is a delegate member for, if I am



1 FRENCH:

2 not mistaken, for every ten pilots, so as Quebec has
3 seventy-seven pilots, there are eight member delegates.

4 Q. And only the member delegates vote on
5 the pertinency of holding a meeting. Is Mr. Bailley a
6 pilot?

7 A. He is a pilot of Quebec, Three Rivers
8 District. He was president of the Federation at that time.

9 Q. At that time the Federation consisted
10 of what pilots?

11 A. All harbours at the present time are
12 members of the Federation, that is Kingston, Montreal
13 Harbour, Montreal, Three Rivers, Three Rivers and Quebec,
14 and Quebec and Les Escoumaines.

15 Q. Had it ever been suggested to the dele-
16 gate members to adopt the procedure of some democratic
17 procedure for convening of meetings?

18 A. Well, perhaps certain suggestions were
19 made on an individual basis, but I am not aware of them.

20 Q. How did you learn, yourself, that a
21 meeting was convened?

22 A. Well, one belongs to a group and you
23 always hear about what goes on.

24 Q. That is how you learned that the meeting
25 was being convened?

26 A. Yes.

27 Q. Had been or was to be convened?

28 A. Something of that sort.

29 Q. The second paragraph refers to a state-
30 ment of the Department concerning the possibility or the



1 FRENCH:

2 eventual exemption of lake ships. Are you aware of the
3 contents of that statement or have you knowledge of what
4 it was?

5 A. I just received that. Ever since 1959
6 we wanted to take the exemptions for the total of all
7 ships.

8 Q. What type of ships?

9 A. All ships, all Federation ships naviga-
10 ting on the St. Lawrence. This started with Bill S3
11 and then there was mention of classes of divisions in
12 order to exempt them.

13 Q. This was in 1960. If you wish we are
14 going to go to the meeting of 1962. Were you convened
15 to that meeting of 1962?

16 A. Well, I can tell you --- I don't know. I
17 know that I didn't attend the meeting.

18 Q. You know you didn't go?

19 A. No.

20 Q. Do you remember if you received a tele-
21 gram or letter convening such a meeting?

22 A. It is possible that I have received one,
23 but I can't say for sure.

24 Q. To your knowledge was there ever
25 concerning the pertinency of holding a meeting, a vote
26 taken? a meeting, a vote taken?

27 A. I don't think so. I can't be sure. I
28 don't think so.

29 Q. To clarify your answer, don't you think
30 so or don't you know about it?



1 FRENCH:

2 A. I could say I don't know.

3 Q. Do you know how many days that meeting
4 lasted?

5 A. No, I don't remember exactly because I
6 wasn't in attendance myself.

7 Q. Do you remember how many days --- in the
8 first place, do you remember if the traffic between Les
9 Escoumaines and Quebec was stopped during the meeting?

10 A. In part.

11 Q. According to your knowledge do you know
12 if any pilot piloted ships during that period?

13 A. Not to my knowledge.

14 Q. Do you remember for how many days traffic
15 was stopped?

16 A. Well, if I remember correctly I can
17 affirm this, it is for about ten days.

18 Q. During those ten days you stated that
19 you yourself would have been ready to pilot ships; is
20 that true?

21 A. Yes, under the conditions that we would
22 have withdrawn that clause concerning the charge to
23 pilots.

24 Q. Are you aware of the fact that other
25 pilots would have had the same point of view as well?

26 A. Yes, I think my point of view was shared
27 by others. I couldn't tell you how many because I was
28 not very active in the organization. I was retired from
29 this kind of activities.

30 Q. Have you discussed during these ten



1 FRENCH:

2 days with other pilots the possibility of going back to
3 work during the meeting?

4 A. During the meeting when the strike was
5 on I stayed at home. I didn't discuss it. I never
6 thought of going back to work.

7 Q. During the strike, if I understand you
8 properly, you didn't get in touch with other pilots?

9 A. It is possible I might have communicated
10 with other pilots, but what I said and what I spoke with
11 them I couldn't tell you. It is quite possible I might
12 have got in touch with some.

13 Q. Would you have kept in touch with other
14 people in order to agree on movements back to work?

15 A. I don't think that this has been men-
16 tioned.

17 Q. With other pilots?

18 A. No, I don't think so.

19 Q. You mentioned the \$25.00 charge made to
20 the pilots for going aboard during the strike.

21 A. Well, they wanted to have the pilots
22 pay for going on board.

23 Q. Right. Can you tell us if this was
24 taking place only during the strike?

25 A. Well, according to me this was going to
26 be continuous.

27 Q. Pardon?

28 A. Now, according to me this was going to
29 be continuous.

30 Q. It wasn't something to take place only



1 FRENCH:

2 during the strike?

3 A. No.

4 Q. It was a continuous charge?

5 A. According to me, yes.

6 Q. When you endorse your pay cheque do you
7 mention anything when you endorse the cheque, do you
8 write anything?

9 A. I need the money. I don't mention any-
10 thing.

11 Q. It appears in the brief of the pilots
12 that they have been consulted on recommendations made
13 by the Federation for the different corporations? Were
14 you consulted?

15 A. To this Commission?

16 Q. Yes. It has not been deposited as yet.
17 I have been told that all the pilots without any distinc-
18 tions, whether they are members or they are not members
19 of the Corporation have received a copy of the recommen-
20 dations that the Federation and other corporations are
21 presenting to the Commission?

22 A. Yes, I have received this document.

23 Q. Did you receive the brief of the Pilots?

24 A. This brief you have in your hands, yes.

25 Q. When were the line pilots abolished?

26 When was this system of special pilots abolished?

27 A. 1960.

28 Q. You weren't director at that time?

29 A. No, sir.

30 Q. While you were director of this



1 FRENCH:

2 Association was there any mention of the abolition of
3 line pilots, company pilots?

4 A. Yes, the Department especially seemed
5 to be in favour of the abolition of them.

6 Q. When you were a director what was the
7 attitude of the executive board to the abolition?

8 A. I must say generally the majority of the
9 executive board were line pilots.

10 Q. Being company pilots they weren't in
11 favour of killing themselves?

12 A. Of course.

13 Q. Did the executive board of the Pilots
14 at that time while members of the Association question
15 the doing away of the system?

16 A. There have been some requests made, I
17 think, on several occasions, and I think that the propor-
18 tion should have been about two-thirds. I think it is
19 only in 1960 that we reached a majority of two-thirds
20 to abolish these kind of pilots.

21 Q. So, I think it is according to the by-
22 laws of the Association that you must have a two-thirds
23 majority?

24 A. Right.

25 Q. And you say that requests have been
26 presented. No doubt these requests didn't include the
27 two-thirds of the pilots. Do you remember approximately
28 the number of persons who were in favour of the abolish-
29 ment?

30 A. No.



1 FRENCH:

2 Q. You wouldn't say either two-thirds minus
3 four or two-thirds minus two?

4 A. No.

5 Q. Would the Association still have a copy
6 of this?

7 A. It is possible Mr. Menard might tell
8 you that. There have been several, if I am not making
9 a mistake. Mr. Menard might confirm. I think there
10 were several.

11 Q. Now, pilots who were not members of the
12 Association, are they consulted on any question by the
13 Corporation?

14 A. Right now pilots of the Association are
15 outside of the organization of the Corporation although
16 after the 1960 election I have been asked to become a
17 member of committees, which I have been refused.

18 Q. You were asked. Who asked you?

19 A. The secretary --- well, I think it was
20 the Association still at that time. The Corporation
21 hadn't formed yet.

22 Q. Since the foundation of the Corporation?

23 A. I don't think so, but I can't affirm.

24 Q. The six pilots not members of the
25 Corporation, are they consulted on the expenses of the
26 Corporation?

27 A. I don't think so.

28 Q. Yourself, do you remember having been
29 consulted on those questions?

30 A. No.



1 FRENCH:

2 Q. Yourself outside of the Corporation,
3 do you exercise any kind of control of your income?

4 A. Well, what do you mean exactly, control?

5 Q. Well, do you have a guarantee of a fixed
6 income, per month or every two weeks?

7 A. No, there is no fixed income. It all
8 depends on the number of ships that will come up.

9 Q. It is founded on income?

10 A. Exactly. There is no guarantee.

11 Q. Deductions made on the income, do you
12 exercise any control on these expenses?

13 A. No.

14 Q. No control of these deductions?

15 A. No.

16 Q. Have you been requested except for the
17 documents which you have mentioned a while ago to sign
18 any kind of recommendation in favour of the Pilots'
19 Corporation?

20 A. No. When the Corporation was founded
21 I received membership forms becoming a member of the
22 Federation, but I don't think I have received anything
23 after that.

24 Q. You have received nothing after that?

25 A. No.

26 Q. You are aware of the fact there is a
27 Pilots' Committee in the District of Quebec by virtue of
28 the recommendations of the Pilots' Committee in the
29 Corporation. Article 5 of the By-laws of the Quebec
30 District reads as follows:



1 FRENCH:

2 "(1) There shall be a pilots' committee
3 appointed annually by the pilots from among
4 themselves.

5 (2) The committee shall be composed of six
6 members who shall hold office for one year
7 from the date of appointment.

8 (3) Upon a vacancy in the membership of
9 the Committee occurring for any reason, a
10 new member shall be appointed by the Committee
11 and he shall hold office for the remainder
12 of the Committee's term of office.

13 (4) A member is upon the expiration of his
14 term of office eligible for re-appointment.

15 (5) A majority of the members constitute
16 a quorum.

17 (6) The Committee shall be recognized by
18 the Authority and the pilots as sole agents through
19 which representations may be made in all
20 matters affecting the pilots collectively
21 or individually.

22 Are you aware of the existence of the Pilots' Committee?

23 A. I think either the Corporation goes to
24 fast or your document is too late.

25 Q. Could you explain this to us?

26 A. It would be to the Corporation to
27 explain. I don't know exactly what the system was, the
28 Corporation is like.

29 Q. According to your knowledge is Article
30 5 of the By-laws --- it has not been applied according



1 FRENCH:

2 to you?

3 A. Well, Article 5 was being applied at the
4 time of the Association.

5 Q. When the Association was the only
6 organization how was the pilots' committee elected?

7 A. Well, there was a general meeting and
8 the same pilots were elected --- you could nominate any-
9 one you wanted, as long as someone would second the
10 nomination, from twenty, thirty, fifty --- anyone, and
11 the six that had the greatest number of votes would be
12 elected.

13 Q. Was it the same election as for the
14 officers of the Association or a different election?

15 A. This was for the officers. No, excuse
16 me, the election was being made for the officers of the
17 Corporation, and automatically a member proposed that
18 those who had been elected to office would be the Pilots'
19 Committee.

20 Q. So there was an election to the members
21 of the Corporation pension fund and by resolution, as you
22 have said, these people became directors of the
23 Association?

24 A. That is right.

25 Q. Now, according to the best of your know-
26 ledge, and you can read this By-law number 5, according
27 to you do these people represent the Pilots' Committee
28 which is mentioned in By-law number 5 of the District of
29 Quebec?

30 A. Well, that is exact --- by the time of



1 FRENCH:

2 the Association it was that committee.

3 Q. So, according to you the directors of
4 the Association also formed this committee?

5 A. Yes.

6 Q. Is that true?

7 A. Yes, it is true.

8 Q. Since the formation of the Corporation
9 have you received any notice of a meeting for the
10 nomination of members or the election of members to the
11 Pilots' Committee?

12 A. The election is being made at the
13 Corporation. We receive our notice of the meeting for
14 the Association, but we have no right to speak to the
15 Corporation.

16 Q. When you are talking about the Corpor-
17 ation ---

18 A. I am talking about the Corporation of
19 Lower St. Lawrence.

20 Q. That is not the Pension Fund?

21 A. No.

22 Q. You say you received a notice coming
23 from the Corporation each month?

24 A. This is to say we received a notice
25 saying that the Corporation meeting will take place at
26 such a time, the Association at such a time, and the
27 Pension Fund Corporation at such a time. This is the
28 kind of notice which we receive.

29 Q. Then you receive, number one, the notice
30 of the Corporation of the Pilots of Lower St. Lawrence?



1 FRENCH:

2 A. Well, I couldn't tell you which one is
3 first, but anyway, all of them are mentioned.

4 Q. In the notice is there mention of the
5 elections of members to the Pilots' Committee?

6 A. Yes, the election is mentioned, but I
7 think that I am not making any mistake, and Mr. Menard
8 could correct me, but I think that the election is being
9 made only amongst members of the Corporation of Lower
10 St. Lawrence Pilots. I have no proof, but that is what
11 I think.

12 Q. Since the Foundation of the Corporation
13 of Lower St. Lawrence have you been called upon to give
14 your opinion on the choice of members of the pilots'
15 committee?

16 A. No, sir.

17 Q. To the best of your knowledge who looks
18 after the negotiations between the pilot and the pilotage
19 authority today?

20 A. Between the pilots and the pilotage
21 authority? It is the executive committee of the Lower
22 St. Lawrence Corporation.

23 Q. And who deals with the negotiations
24 between the pilots and the Shipping Federation?

25 A. Between the Corporation ----

26 Q. I did not say the Corporation. I said
27 between the pilots?

28 A. Well, there is the Pilots' Federation
29 which looks after the negotiations but I think that the
30 Corporation can negotiate individually if it wants to.



1 FRENCH:

2 Q. Was there not a Navigation Aids
3 Committee before on the pilots ----

4 A. One was set up by the Corporation of
5 Lower St. Lawrence Pilots.

6 Q. By the Corporation?

7 A. Yes.

8 Q. Did the Association have a similar
9 committee?

10 A. No. The question had been discussed at
11 the general meeting and it was the directors who looked
12 after the question of asking for meetings if it was
13 necessary.

14 Q. Thank you. Those are all the question
15 I have. Just a minute please.

16
17 CROSS-EXAMINATION BY MR. LALONDE:

18
19 Q. Mr. Barras, it has been produced as
20 exhibit 593 copy of a telegram which was made to Mr.
21 Bailley on October 16th, 1960, according to what you say.
22 I thought that in fact this telegram had been sent from
23 Sorel? Right?

24 A. Well, I just meant, I said from Sorel
25 or from Quebec. I think that it is from Sorel, but it
26 could come from Quebec.

27 Q. But you are a pilot from Quebec to Les
28 Escoumaines?

29 A. Yes.

30 Q. Were you at Sorel at that time?



1 FRENCH:

2 A. If I want to take a drive to Sorel, I am
3 free to do so.

4 Q. How come this telegram was sent from
5 Sorel?

6 A. Well, it is because we have the signa-
7 tures in our pocket.

8 Q. It is because you already had the signa-
9 tures, you had the signatures on you? You had prepared
10 a protest and you have collected signatures. That is
11 what you did?

12 A. Yes.

13 Q. Would you have the original with the
14 signatures on it?

15 A. I don't have the original, no. I think
16 that the original --- I can't say where is the original.

17 Q. You would not know?

18 A. No.

19 Q. The signatures had effectively been
20 collected?

21 A. Yes, I guarantee that the signatures
22 had been collected.

23 Q. As far as the expenses of the Association
24 and the Corporation are concerned, my colleague Mr.
25 Jacques has asked you a few questions about the control
26 which you exert on this question.

27 Is it not true that you receive a temporary
28 statement with your cheque quoting the expenses of the
29 Corporation and of the Association?

30 A. Well, we receive a statement but there



1 FRENCH:

2 is no mention whether it deals with the Association or
3 Corporation. We do receive a statement.

4 Q. Is it not true that the expenses are the
5 same? You have the same exactly for the Association and
6 for the Corporation?

7 A. Well, the only time I hear about the
8 Association is when I attend meetings, when I receive the
9 notice of meetings.

10 Q. Is it not true that the executive
11 committee of the Association is the same as the executive
12 committee of the Corporation?

13 A. The Association is supposed to exist, yes.

14 Q. The statement, the financial statements
15 which you receive are the statements for the two organiza-
16 tions jointly?

17 A. Well, jointly but only the name of the
18 Corporation is indicated.

19 Q. Right. Now, is it not true that it
20 would always be possible for you to go to the office of
21 the Association and of the Corporation, which is the same
22 office? I think it is the same secretary-treasurer so
23 is it not a possibility that you can at any time go to
24 see the secretary-treasurer and ask for an explanation?

25 A. About expenses, every time I go to the
26 secretary.

27 Q. And the secretary has always cooperated
28 with you?

29 A. Yes. He has always been a very pleasant
30 person.



1 FRENCH:

2 Q. He has never refused any information
3 which you could ask on the financial statements?

4 A. I am not curious but he has never re-
5 fused any information to me.

6 Q. Is it not true that you receive every
7 year, as you have mentioned I think, a notice of meeting
8 for the Pilotage Association and for the Corporation for
9 the pension fund?

10 A. That is right.

11 Q. And if I understand properly you have
12 decided to retire from politics a few years ago?

13 A. That is correct.

14 Q. And is it not true that if you wanted
15 to attend these meetings, you could according to the
16 agenda which is sent to you and you are made aware of
17 the statements, and then personally you could ask any
18 questions which you would want either from the directors
19 or from the treasurer of the Association?

20 A. Well, if I refer to the past, one of my
21 colleagues, he is here this afternoon, Mr. Bedard, he
22 has been refused the right to speak during a meeting.

23 Q. A meeting of the Corporation? Is this
24 the Mr. Bedard (indicating)?

25 A. Mr. Lucien Bedard.

26 Q. This was a meeting of the Corporation?

27 A. Yes.

28 Q. On important questions which deal with
29 the Association ----

30 THE CHAIRMAN: I understand that Mr. Bedard is



1 FRENCH:

2 not a member of the Corporation?

3 THE WITNESS: No, your lordship.

4 Q. Now, I suppose the Association is con-
5 cerned?

6 A. Yes, I think I would get answers.

7 Q. So you could ask all the questions which
8 you would want at this meeting?

9 A. Yes.

10 Q. And is it not true that even if you had
11 not attended the meeting, you received through the mail
12 the report of the auditors of the Association and of the
13 Corporation?

14 A. I received the reports of the Corporation,
15 yes.

16 Q. And in such a case did you think then
17 that it is possible for you to obtain, concerning the
18 questions of the Corporation and of the Association, the
19 information which you might wish to obtain?

20 A. This might be possible but I never tried
21 to inform myself about it.

22 Q. Right. The information has not been
23 refused to you?

24 A. No, sir.

25 Q. So briefly could we not say that the
26 fact that you do not have any more information than you
27 have at the present time comes from the fact that you
28 have decided to abstain from all questions of the
29 Association and of the Corporation?

30 A. Yes, I want to enjoy life before I die.



1 FRENCH:

2 Q. And these notices to the annual meeting,
3 were there any special meetings convened as well?

4 A. It is quite possible but I cannot tell
5 you for sure.

6 Q. At any rate, for annual meetings is it
7 not true every year you have received a notice for the
8 meeting of the Pilots' Association as well as for the
9 Pilots' Corporation for the purpose of the pension fund?

10 A. Yes.

11 Q. And to your knowledge did your colleagues
12 who are not members of the Corporation receive also the
13 same notice for the holding of the meeting of the
14 Association?

15 A. I think so.

16 Q. Do you also receive bulletins once in a
17 while from the president of the Corporation?

18 A. Yes.

19 Q. Do you receive them regularly?

20 A. Yes, regularly enough.

21 Q. Once a year or once every six months or
22 what?

23 A. At the outset of the inauguration of
24 the Corporation, we received them with more frequency but
25 not now, not quite so frequently. I don't know if it is
26 because the Royal Commission of Inquiry is being held but
27 we have received less.

28 Q. Received about one per month?

29 A. Yes, about one per month.

30 Q. And of course these bulletins tell you



1 FRENCH:

2 about the developments or the events having to do with
3 either pilotage or the activities of the Corporation, if
4 I understand properly?

5 A. Yes.

6 Q. Now, you talked about the election
7 procedure and you have mentioned that beforehand, first
8 of all, the directors were elected for the Corporation
9 for pension fund purposes, and that those automatically
10 became directors of the Association?

11 A. Upon the submission of a motion.

12 Q. Would you be aware that the same pro-
13 cedure goes on at the present time?

14 A. Well, I couldn't tell you exactly. I
15 don't know how it goes on today but I think that there
16 are more members ~~on~~ the board of directors than there
17 was upon the creation of the corporation.

18 Q. But you never checked in order to find
19 out if the procedure had been changed concerning the
20 creation of directors for the Corporation or the pension
21 fund, and the confirmation of the same persons as
22 directors of the Association?

23 A. Well, at the time of the Association we
24 could vote ~~for~~ one member or two and I think that today
25 we must vote for all the members as a whole.

26 Q. What do you mean by that?

27 A. Well, if there are two candidates oppos-
28 ing, if I am well informed, I think that people have to
29 vote for the two at the same time and in a block,
30 otherwise the vote slip is null.



1 FRENCH:

2 Q. If I understand properly, if there are
3 two vacancies, let us say, there are two positions as
4 directors open, you have four candidates to elect, you
5 must write two names on the voting slip?

6 A. Yes, this is the information that I
7 received.

8 Q. What procedure was followed beforehand
9 for the Corporation for the pension fund? Was there a
10 committee?

11 A. Well, everybody could be nominated so
12 long as he had been seconded by somebody else. There
13 might be 10, 15, 20 names on the blackboard. No limit
14 to the number of names.

15 Q. Where was that board?

16 A. In the boardroom itself.

17 Q. On the day of the holding of the meeting
18 were there any nominations on the preceding week or fort-
19 night beforehand?

20 A. Only on the day of the election.

21 Q. And if I understand properly, there was
22 a blackboard in the boardroom and everybody, or anyone
23 who wanted to be a candidate would write his name or saw
24 that somebody else wrote his name on the blackboard with
25 the signature of two supporters?

26 A. Well, there was only his signature. It
27 was supposed to be done that way, with the supporters.

28 Q. You only wrote down the name of the
29 candidate on the blackboard and where did you find out
30 if he were seconded, or his name was seconded?



1 FRENCH:

2 A. This question was not raised too much,
3 That procedure was not followed to the letter all the time,
4 perhaps.

5 Q. So that during the meeting, the names
6 were written down on the blackboard.

7 A. That is just before the vote took place.

8 Q. Then you had a certain period where all
9 names could be written down?

10 A. Yes.

11 Q. And you said that there were many names
12 on the blackboard?

13 A. Generally speaking there might be a
14 great number of names but the general rule I think that
15 there were twelve to fifteen, sometimes less.

16 Q. And the elections were always contested?

17 A. Well, they were sometimes.

18 Q. But you were one of those who remained
19 in for a term of office for quite a while?

20 A. Well, for about ten years.

21 Q. You had elections from time to time.
22 Was there a candidate against you from time to time?

23 A. Well, there is always, as soon as there
24 are more than six names on the blackboard because those
25 who had, or the first six who had the greatest number of
26 votes were elected.

27 Q. Did it ever happen in certain years
28 there were more than six names on the blackboard?

29 A. Yes, there would be more than six names
30 on the blackboard. There were seven names.



1 FRENCH:

2 Q. There was an election for all the names
3 so you made a global election every year and had a real
4 election being held every year?

5 A. Yes.

6 Q. How could it be possible to know who was
7 appointed president?

8 A. Well, the six elected members were
9 choosing the director or the president amongst those
10 elected.

11 Q. So everybody was elected as a director
12 and then afterwards the six elected were choosing between
13 themselves the president, vice-president? Was there a
14 secretary?

15 A. Yes, the secretary is a permanent position
16 and so there was no secretary during the election.

17 Q. So you had only president and vice-
18 president. They were chosen from amongst the directors?

19 A. Yes.

20 Q. Now, there was no previous notice before
21 the holding of the meeting in order to find out who was
22 going to be the candidate against whom?

23 A. No.

24 Q. Everything had to be done during the
25 meeting?

26 A. Yes.

27 Q. The interested candidates had to be
28 present as well as their supporters?

29 A. There was some campaigning going on just
30 like during election time.



1 FRENCH:

2 Q. Now, you had a board of directors composed
3 of six members. Did you have any standing committees
4 within the Association?

5 A. Well, it happened that we have created
6 committees, not standing committees but special committees
7 in order to study certain problems or certain matters.
8 As soon as they were through with their study, a report
9 was submitted to the board of directors.

10 Q. Were these committees elected by the
11 general assembly or by the directors?

12 A. They were appointed by the directors.

13 Q. Now, if I understood properly, there was
14 in every year, a committee which was appointed. For
15 example, a promotion committee and an election committee
16 which was being created every year?

17 A. Not necessarily every year.

18 Q. There was no general rule about that?

19 A. No.

20 Q. At election time was there a nominations
21 committee created?

22 A. No.

23 Q. I suppose simply an election president?

24 A. Yes.

25 Q. Was the election president, president
26 ex officio of the Association?

27 A. Well not all the time. Sometimes we
28 choose the president amongst the members of the assembly.

29 Q. Generally he was a member of the
30 Association?



1 FRENCH:

2 A. Yes, generally speaking, yes.

3 Q. Now, when the Corporation of the Lower
4 St. Lawrence Pilots was created, you have been invited,
5 if I understand properly, to sit on the membership
6 committee of the Association in order to study the whole
7 problem?

8 A. Yes, the question of the Corporation,
9 yes.

10 Q. If I understood you properly, you also
11 were the person who had suggested the possibility of
12 revising the by-laws of the Association?

13 A. Yes.

14 Q. Did you find that there were certain
15 deficiencies in the by-laws of the Association at that
16 time?

17 A. Well, from time to time the regulations
18 or the by-laws have been amended in order to get on with
19 the present conditions.

20 Q. So you found out that it was necessary
21 to sort of amend them again?

22 A. Yes.

23 Q. If I understand properly, you had refused
24 to sit with the committee which was entrusted with the
25 revisions of the by-laws?

26 A. Yes. Well, after 1959.

27 Q. It was after you withdrew from politics?

28 A. Yes.

29 Q. Now, you also attended certain meetings
30 not as a member of the committee but a member at large



1 FRENCH:

2 whenever there was a meeting of the Corporation?

3 A. Yes, I went to the first meeting. I
4 don't know how many meetings I attended.

5 Q. And at a certain point you decided you
6 preferred not to remain a member of the Association?

7 A. Yes. I had given ten years of service
8 to the Association. I thought it was high time for me to
9 get a rest.

10 Q. At what time were line pilots abolished?

11 A. If I remember properly it was in 1960.

12 Q. Was the Corporation in existence then?

13 A. I couldn't tell you. I don't remember.

14 Q. The abolition of the line pilot system
15 had an influence upon your decision to withdraw from
16 political life, professional political life?

17 A. No, it had an effect only upon the
18 duration.

19 Q. Thank you, Mr. Barras.

20

21 CROSS-EXAMINATION BY MR. POISSON:

22

23 Q. Mr. Barras, at the present time you are
24 a pilot for the Lower St. Lawrence River?

25 A. Yes.

26 Q. You exercise regularly your profession
27 as a pilot. For how many years in the Lower St. Lawrence
28 River?

29 A. Well, for the past twenty-two years and
30 eighteen years for the Pilotage Association.



1 FRENCH:

2 Q. So you are well aware of the conditions
3 that may exist between Les Escoumaines and Quebec?

4 A. Yes, well enough.

5 Q. And in particular for the Quebec Harbour?

6 A. Yes.

7 Q. To your knowledge does it happen often
8 that the conditions do not allow you or other pilots from
9 the Lower St. Lawrence River to dock ships upon their
10 arrival in Quebec?

11 A. Well conditions may vary a great deal
12 and everything depends on the type of ship we have, the
13 weather conditions or insofar as I am concerned, I can say
14 that I was one of the lucky persons. I never had any
15 stress of weather that kept me from piloting in the Quebec
16 Harbour.

17 Q. At any rate those are exceptional
18 conditions?

19 A. Yes.

20 Q. What type of ship? Is there any partic-
21 ular type of ship that you pilot?

22 A. Well, at the present time I pilot ships
23 that have less than 10,000 tons. Before the abolition of
24 the line pilot system, I was hired three or four years,
25 we had ships of all types.

26 Q. Amongst these ships of less than 10,000
27 tons are there appreciable differences which make
28 manoeuvring these ships more difficult? Are there ships
29 which are more difficult to manoeuvre than others?

30 A. Yes, some that are more difficult.



1 FRENCH:

2 They don't all have the same power.

3 Q. What are the main factors which may
4 influence this manoeuvrability? Is it the tons or the
5 power?

6 A. Well, there is also the tonnage and the
7 power. If the ship is laden or not.

8 Q. According to your experience do you
9 think the ships that have more than 10,000 tons are more
10 difficult to dock than others, or is the tonnage a
11 factor that cannot be considered alone?

12 A. Well, not necessarily.

13 Q. What do you mean by that?

14 A. Well, I mean that sometimes the ship
15 of 10,000 tons will be easier to manoeuvre than another
16 ship of 4 or 5,000 tons. This all depends on the ship.

17 Q. If we have ships of 15,000 to 20,000
18 tons -----

19 A. Well, if you increase the tonnage, this
20 represents liners and these liners are different to
21 operate. They have two propellers.

22 Q. Now, the question I am asking is the
23 following: according to you one of the proposals which
24 you got to know about in the brief of the pilots is to
25 have a special pilot for docking in the Quebec Harbour.
26 According to you is it necessary?

27 A. I can give you only my personal opinion.
28 If the shipping can naturally meet the expenses of having
29 special pilots, I don't object to it.

30 Q. Well, the question I ask you is the



1 FRENCH

2 following: Is it necessary to have harbour pilots for
3 docking, or pilots who would look after the docking, in
4 the Quebec Harbour? I am talking about ships going
5 upstream.

6 A Those who could give you more information
7 are shipping agents.

8 Q. But you as a pilot, does it happen often
9 that conditions prevent you from docking ships?

10 A. As I told you beforehand, the conditions
11 up to now did not keep me from docking a ship.

12 Q To your knowledge do you think that it
13 keeps a great deal of pilots from the Lower St. Lawrence
14 River from docking ships?

15 A. I couldn't tell you because I am not
16 informed about the whole situation because when I have
17 nothing else to do, I go home.

18 Q. In another field, Mr. Barras, the field
19 of launches being used at the present time in Les
20 Escoumains, I have to ask you two or three questions.
21 This morning you stated that the Citadel was replaced
22 not to the advantage by harbour boats?

23 A Yes.

24 Q. You stated on the other hand that the
25 present ships or boats cannot transport a great number
26 of persons.

27 A. They are limited. Like any other type
28 of boats, these boats are small, their limitations are
29 greater.

30 Q. Well, how many passengers would they carry?



1 FRENCH

2 A. I think they have seven or eight, but
3 you can get the right information from the Department of
4 Transport.

5 Q. Whenever you board a ship at Les Escoumains,
6 for example, are there any persons, apart from the pilots
7 who are aboard these launches?

8 A. Well, there are the pilots and the
9 apprentices.

10 Q. It never happens that the launches trans-
11 port other persons from the emigration service, customs,
12 and so forth?

13 A. No, not ever since we have had those
14 launches. With the exception, for example, if there is
15 a sick person on board a ship, a doctor will be transported
16 or if there is, for example, a seaman who missed a boat in
17 Montreal, well, he is going to board the ship later on.

18 Q. So you do not have too many people in
19 those launches?

20 A. Well, it exists, as I mentioned this
21 morning, this special case when we had the Abraham Martin
22 coming from Tadoussac but it was only in a special
23 case.

24 Q. Thank you.

25 THE CHAIRMAN: Do you have any more questions
26 to ask the witness?

27 MR. BRISSET: Yes.

28 MR. MAHONEY: Yes.

29 THE CHAIRMAN: I think we had better adjourn.

30 MR. LANGLOIS: This morning, my lord, I asked



1 FRENCH:

2 Mr. Emilio Vezina to give information concerning the
3 equipment, life-saving equipment on board the Vezina's,
4 the pilot boat and of the Sam Vezina Registered. Mr.
5 Vezina is in the hall and my colleague says I may give
6 this information which he gave me.

7 The Pierre Vezina has twenty-three life belts
8 on board and three life buoys with lights and the Sam
9 Vezina has the same equipment.

10 THE CHAIRMAN: We will adjourn until tomorrow
11 morning at ten o'clock.

12

13

14 --- Adjournment.

15

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ROYAL COMMISSION

ON

PILOTAGE

HEARINGS

HELD AT

Quebec City

VOLUME No.:

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ROYAL COMMISSION ON MARINE PILOTAGE

Proceedings of the hearing held at
the Court House, Quebec City, Quebec,
on the 26th day of July, 1963.

COMMISSION:

The Honourable Mr. Justice Bernier	Chairman
Robert K. Smith, Esq., Q.C.	Member
Harold A. Renwick, Esq.	Member
Mr. Gilbert Nadeau	Secretary

COMMISSION COUNSEL:

Mr. Maurice Jacques	
Mr. Leopold Langlois, Q.C. -	for the Canadian Merchant Service Guild

PRESENT:

Mr. J. Brisset	for the Shipping Federation of Canada
Mr. J. M. Jacques	for the National Harbours Board
Mr. J. Mahoney) Mr. C. Mason)	for the Dominion Marine Association
Mr. Marc Lalonde	for the Federation of St. Lawrence River Pilots; Corporation of the Lower St. Lawrence Pilots; the Corporation of the Mid-St. Lawrence Pilots; the Corporation of the Montreal Harbour Pilots; the Corporation of the St. Lawrence River and Seaway Pilots; the Corporation of the Upper St. Lawrence Pilots
Captain J. S. Scott	Technical Advisor to the Commission
Captain F. S. Slocombe	for the Department of Transport and liaison officer



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1 ---Whereupon the hearing commenced at 10:00 a.m.

2
3 FRENCH
4

5 Q. Mr. Barras, all the pilots you listed, with
6 the exception of the six dissident pilots you talked about
7 yesterday, who do not belong to the Corporation of the
8 Lower St. Lawrence, belong to the Pilots Association of
9 the Quebec Harbour and belong to the Corporation of the
10 Lower St. Lawrence and the third place to the Canadian
11 Merchants' Guild, and also belong to that Corporation
12 which has to do with the pension fund.

13 Now, so far as the three first organizations
14 are concerned, one of their main aims, if I understand
15 properly, is to see to it that the pilots' interests are
16 well taken care of?

17 A. That is true.

18 Q. Do you not agree with me that the adminis-
19 trators of the Association and of the Corporation and the
20 pilots of the Lower St. Lawrence have their duty to keep
21 the members of the Association well informed about
22 everything that goes on and which might have an influence
23 on the pilots' interest?

24 A. Yes.

25 Q. And I understood yesterday the fact
26 that certain bulletins of information are transmitted to
27 you at different periods of time which have to do with
28 matters of great interest to you?

29 A. Yes.

30 Q. Do you have a copy of the petition that



1 FRENCH

2 you filed yesterday?

3 A. Yes, I have a copy of it.

4 Q. At any rate, I would like to draw your
5 attention to paragraph 2 of that petition which states
6 the following: "Simple declaration of the officials of
7 the Department concerning the eventual exemption of
8 Canadian and American lake ships does not seem to be a
9 serious reason for justifying the stoppage of work at the
10 present time." You told us, on the other hand, that at that
11 time that you had understood that the aim of bill S-3 was
12 to abolish entirely pilotage. For example, give exemptions
13 to ships of Franco and DeGaulle. I believe those were the
14 expressions you used?

15 A. Yes.

16 Q. From whom did you obtain such information?

17 A. Well, this information was brought forth
18 at the Senate and I believe you were there when there was
19 a meeting between the members of the Pilotage District and
20 members of the Department as well as the Senators.

21 Q. So this is what the pilots understood at
22 that time concerning the contents of bill S-3?

23 A. Yes.

24 Q. It was for that reason that a strike was
25 mentioned and that the pilots wanted to go on strike?

26 A. Well, it is for that reason that we became
27 members of the Association in order to protect our rights.

28 Q. Eventually a strike or general meeting was
29 mentioned?

30 A. Yes.



1 FRENCH

2 Q. At that time was there an information
3 bulletin which has been sent out by the Federation or by
4 the Corporation confirming the question?

5 A. It is quite possible, but I can not
6 remember.

7 Q. You told me yesterday that in the Quebec
8 District there were ten pilots of class "A". Who
9 determined the number of these pilots?

10 A. I couldn't tell you for sure, but I think
11 it was arranged for between the Board and the Officials of
12 the Transport Department.

13 Q. The Board of what? Of the Association?

14 A. Of the Corporation and the pilots of the
15 Lower St. Lawrence.

16 Q. Do you think that the dissident pilots
17 have been consulted about this?

18 A. No, not me at any rate.

19 Q. Do you have a personal opinion concerning
20 the number of pilots of Class "A" in your own district?
21 Do you think there were enough pilots class "A"?

22 A. At the present time I think that the
23 number is quite adequate because even at the present time
24 they even have to do some pilotage class "B".

25 Q. Now, in that petition in paragraph 3
26 you refer to the recent assignment of the new Minister.
27 I can understand that it was Mr. Leon Balcer who had
28 been appointed in his new position in order to replace
29 the Honourable George Hees?

30 A. This is true.



1 FRENCH

2 Q. A few days before October 13th, the date
3 of that petition?

4 A. Yes.

5 Q. Thank you.

6

7 CROSS-EXAMINATION BY MR. LALONDE:

8

9 Q. What was your position, Mr. Barras, at the
10 time Bill S-3 was put forth?

11 A. I was president of the Pilots Association
12 for the Quebec Harbour, upstream and downstream.

13 Q. You were the representative for the Pilots
14 Association at that time?

15 A. Yes.

16 Q. So far as class "A" is concerned, I think
17 pilots are chosen on the basis of seniority and the
18 records of the pilot?

19 A. Yes, probably.

20 Q. Do you think the two factors are important?

21 A. Yes, I think so.

22 MR. JACQUES: Does the Commission have questions
23 to ask?

24 THE CHAIRMAN: Do you have any question?

25 MR. MASON: No questions, thank you.

26 MR. JACQUES: Thank you.

27 THE WITNESS: My lord, as well as all the
28 members of the Commission, I thank you for having allowed
29 me to appear before this Royal Commission as well as the
30 members of the bar, including my friend, Mr. Lalonde.



1 FRENCH

2 THE CHAIRMAN: Not only have we allowed you
3 to appear before the Commission but we forced you to
4 appear before the Commission.

5 MR. JACQUES: Is Mr. Santerre in the hall?

6 MR. LALONDE: My lord, I would like to intervene
7 in the procedure of the Commission but I was led to
8 understand that my colleague yesterday indicated that the
9 next witness would be Mr. Koenig.

10 THE CHAIRMAN: This is what your colleague
11 said yesterday.

12 MR. JACQUES: Mr. Santerre, the Harbour Master
13 who has just replaced Mr. Duval, had been convened yes-
14 terday for 10:00 o'clock this morning in order that he
15 should be free in order to fullfil his duties. Mr.
16 Santerre is not in the hall, my lord. Yesterday, I was
17 hoping to start with the evidence of Mr. Koenig yesterday
18 afternoon but the cross-examination was so lengthy, that
19 it was impossible to proceed.

20
21 ENGLISH

22
23 MAURICE KOENIG, Sworn:

24
25 DIRECT-EXAMINATION BY MR. JACQUES:

26
27 Q. Mr. Koenig, would you state your full
28 name and age?

29 A. Maurice Koenig.

30 Q. And your age?



1 ENGLISH

2 A. Fourty-eight.

3 Q. Your occupation?

4 A. Pilot for the Lower St. Lawrence.

5 Q. How long have you been a pilot?

6 A. I am entering my twelveth year.

7 Q. I understand that you had sea experience
8 before becoming a pilot? Do you hold any certificates?

9 A. I hold a certificate of competency as
10 master for foreign going vessels.

11 Q. And when was it granted?

12 A. In 1947, February, at Halifax.

13 Q. And altogether at sea, prior to becoming
14 a pilot, how many years have you had?

15 A. About 20 years, four and a half of which
16 were spent in a German Camp.

17 Q. I believe, sir, that you wish to address
18 the Commission?

19 A. I would like to make a statement, yes, sir.

20 Q. You may feel free to do so, sir.

21 A. Thank you, sir. If it please your lord-
22 ship, and Commissioners, on the strength of what Federation
23 Council, Lalonde, said yesterday afternoon about my brief,
24 I would like to state here that I would welcome an
25 opportunity of answering, if only a few words, prior to
26 the news going on the headlines in this morning's paper.

27 B. By the end of this day, if I am, as he stated
28 last night, proven eroneous, and absolutely wrong, I am
29 quite willing to submit to the judgment of the court.
30 On the contrary, if council, Lalonde, can not prove



1 ENGLISH

2 statements he made last night about the brief, a
3 retraction will be, I think in order, unless he, himself
4 wants a suit for libel. slapped against him. Thank
5 you, your lordship.

6 Q. Now, sir, would you refer to your brief?

7 A. Yes, sir.

8 Q. Which has been filed as Exhibit 571 and
9 would you, going through the brief, the various points
10 which are mentioned on page 5, make the comments which you
11 say you should make.

12 A. Well, sir, in order to make the necessary
13 comments on the items mentioned on page 5 of the brief, I
14 would have to take each in turn and read the explanation
15 that follows on the other pages. These items are
16 explained separately on the pages that follow.

17 If the court so desires, I would have to read
18 those as I go along.

19 THE CHAIRMAN: Well, without reading them you
20 might try to help him out Mr. Counsel by putting some
21 questions?

22 Q. Very well, my lord. With reference to
23 your first recommendation which reads as follows: "Why,
24 in our humble opinion, would the Department of Transport
25 be so inclined to favour a move to the north shore." I
26 understand that this is the transfer of the pilotage
27 station from Father Point to Les Escoumains where it now
28 is.

29 THE CHAIRMAN: Have the facts established first.

30 Q. Yes, my lord. Is that it?



1 ENGLISH

2 A. That is it.

3 Q. You have stated on page six that such
4 a move was most beneficial to the Department. Would
5 you explain this statement, please?

6 A. Now, by beneficial to the Department, I
7 mean that the fact that the station was transferred from
8 Father Point, put the Department into a position to forego
9 the former obligation to the pilotage service.

10 There was a time, up to 1905, the pilotage
11 station was Bic Island. The Government at that time
12 requested that the pilots move down to Father Point, an
13 additional 18 miles downstream. Now, in compensation for
14 this additional distance, the Government was to pay the
15 bill for reasonable embarkation of pilots; would pay
16 all their expenses. That is, bed and bread and hotel,
17 would pay the whole thing at that particular time.

18 In addition to that they agreed to pay, I think
19 it was \$400.00 to any old pilot who wished to retire at
20 that particular time. The idea of that was to encourage
21 all their pilots to retire earlier since there was at
22 that time a great number of pilots and it was desired at
23 that time that fewer pilots could comprise that district
24 since there weren't ships to go around. It would, thereby,
25 increase individual earnings and since life was easier in
26 those days, this additional \$400.00 helped quite a few
27 of those to reach a decision. They retired. I can not
28 state the number here. This all means that such
29 advantages were only granted the pilots on the strength
30 of the additional distance. Now the transfer of Father



1 ENGLISH

2 Point station to Escoumains on the north shore cut this
3 distance again by twice the mileage.

4 I have the documents here signed by the
5 Honourable Minister of Transport at the time stating the
6 Department would continue to uphold their obligations to-
7 wards the pilots.

8 Q. Could I see that document, please?

9 A. Yes, sir. I have these documents here in
10 my bag. It may take a few minutes to get them.

11 Q. That is quite all right. What you have
12 just said is important.

13 A. Here is a letter addressed to the President
14 of the New Corporation of pilots dated March 24th, 1960.

15 Q. This is a mimeograph copy of the letter to
16 which you referred. Would you state where this copy
17 comes from?

18 A. This copy was sent to all members by the
19 Board of Directors at the time.

20 Now, sir, you will notice in the copy of the
21 letter I gave you, the Minister states what I said
22 previously about upholding the Minister of Transport's
23 obligation, it also states that should a sufficient
24 number of pilots decide to remain at Father Point, he
25 would provide embarkation for those dissident pilots,
26 at least, for that first season until all had come to some sort
27 of an understanding. At the same time the letter states,
28 I think, that the transfer of the station was achieved
29 at the express request of the majority of pilots at the
30 time.



1 ENGLISH

2 Now, the number of pilots at the time was 67.

3 I have here a petition signed by 43 of those 67 in favour
4 of the south shore, so I fail to see where the Department
5 is justified in making the statement that the express
6 majority of pilots wanted this transfer.

7 Q. Now, sir, if I may interrupt you, I should
8 like to file as Exhibit No. 594, a mimeograph copy of a
9 letter addressed by the Honourable George Hees to Captain
10 Gaston Rousseau, president of the Pilots' Committee on
11 March 24th, 1960.

12 Now, sir, you have referred to a petition. Have
13 you this petition with you?

14 A. I have it, sir. I have it here somewhere.
15 I apologize again, sir, for holding up the proceedings.

16 Q. That is quite all right, sir.

17 A. There we are.

18 Q. This, sir, is a photocopy of the petition
19 to which you have referred. Would you know where the
20 original is?

21 A. I am afraid I don't.

22 Q. Where did you obtain this photocopy?

23 A. From a fellow pilot.

24 Q. From a fellow pilot?

25 A. Yes, sir.

26 Q. Have you had an opportunity to compare
27 it with the original?

28 A. No, sir, I have not.

29 Q. Do you know whether this petition was ever
30 forwarded to the Honourable George Hees as this photocopy



1 ENGLISH

2 bears the address of the Minister?

3 A. I believe it was sir, but I could not say
4 fortcertain.

5 Q. I see some typewritten text at the bottom
6 of the first page. It seems to have been added afterwards?

7 A. Yes, sir. I wrote that in myself.

8 Q. When?

9 A. Recently. When I decided to make my
10 brief public. I wished to put my signature on the
11 document. I justified the putting on by the typewritten
12 note, also explaining that I why I did not sign it before.

13 Q. My lord, upon further investigation to find
14 out where the original of the petition is, I should like
15 the Commission to file this photocopy under the rights of
16 all objections which my learned friends may make.

17 THE CHAIRMAN: That will be quite all right,
18 under those reserves.

19 MR. LANGLOIS: What is the date of the
20 petition?

21 MR. JACQUES: It doesn't seem to bear any date,
22 my lord.

23
24 ---EXHIBIT NO. 595: Petition.

25
26 Q. For the benefit of those present, my
27 lord, I think I should read the text of this petition.
28 It is addressed to the Honourable George Hees, Minister
29 of Transport, House of Commons, Ottawa, re-pilotage
30 station at Father Point. "Considering that the Government



1 ENGLISH

2 and the Shipping Federation are in favour of lessening
3 the distance of the Quebec Father Point pilotage district;

4 Considering that Trois Pistols is the easiest
5 place to get to by rail, road and air;

6 Considering that Trois Pistols is the easiest
7 and safest place of approach by sea with the best of
8 entrances all around;

9 Considering that the south shore is the most
10 convenient place in all respects to establish the new
11 pilot station, we, the undersigned, ask that Trois
12 Pistols be chosen as the future pilot station."

13 On the second page the same context is repro-
14 duced. Have you

15 A. Have you read, sir, the note I put on?

16 Q. The note which is typewritten on the text
17 by the witness reads as follows: "Failing Trois Pistols,
18 the Government wharf at St.-Simon would make a satisfactory
19 pilotage station. St.-Simon would also prove to be less
20 onerous to the tax payer." That is the note on the first
21 page and the same note is reproduced on the second page.

22 Are you able to give the Commission an idea of
23 the date of this petition?

24 A. I couldn't give that, the exact date, sir,
25 but I am quite certain it was signed prior to the time of
26 transfer.

27 Q. Of transfer from Father Point to Les
28 Escoumains?

29 A. Definitely.

30 Q. The second point which is raised in your



1 ENGLISH

2 brief is that: "There is not one single advantage in
3 having transfer of the pilotage station to the north
4 shore." Now, what do you mean by advantage? Navigational,
5 economic, political, travel-wise, safety-wise?

6 A. I mean advantages in all respects.

7 Q. Yes, would you elaborate, please?

8 A. Well, as you said, sir, transport was
9 easier on the south shore, for one thing, to deal with
10 the easy steps first, and then the full argument invoked
11 in favour of Les Escoumains, in my opinion, is distance.
12 Why I advocated St.-Simon in the south shore is only one
13 mile, perhaps a mile and a half difference in distance
14 from Les Escoumains. Now, navigational advantages, I
15 think they are the ones that are interesting to more
16 people. On the south shore, I think you will find all
17 this in the brief, when a vessel comes up river to pick
18 up a pilot anywhere along the south shore, immediately
19 she picks her pilot, she heads away from there, away out
20 seawards. A vessel coming down observes this ---

21 Q. I did not hear what you just said.

22 A. Seawards, away from the coast, towards
23 the middle of the river. Now, any vessel coming down
24 observes the behaviour of that vessel coming up. He
25 has no qualms whatsoever meeting the ship coming up. He
26 knows exactly what she is going to do, which he doesn't know
27 at all on the north shore.

28 Q. Why?

29 A. He has no idea whatever as to what side she
30 is going to meet a ship coming in.



1 ENGLISH

2 Q. How come?

3 A. Well, because meeting a ship on the left-
4 hand side of the river is against all logic.

5 Q. Why would he meet a ship on the left-hand
6 side of the river?

7 A. Because they won't know the river, it's
8 the left-hand side for the vessel coming down, that is
9 the vessel coming down is approaching ---

10 Q. I see what you mean. You mean to say
11 that the ship normally, according to the rules, the
12 International rules meet, is it starboard to starboard or
13 is it port to port?

14 A. They may meet port to port in narrow
15 channels. They don't necessarily have to do so down at
16 the pilot station. Normally, one is inclined to meet
17 that way. That is the normal way to do it.

18 Q. So you say that for a ship leaving Les
19 Escoumains, seaward, and a ship bound to Les Escoumains,
20 they usually meet or they meet on the wrong side, star-
21 board to starboard instead of port to port? T

22 A. They might meet on either side and the
23 vessel coming down has no idea what is going to happen
24 within the next few minutes.

25 Q. This vessel coming down, you mean the
26 vessel, the ocean, the seaward vessel?

27 A. That is right and this can prove especially
28 dangerous if there are more than just the two ships
29 involved especially in hazy weather, bad visibility.

30 Q. So that since the station has been removed



1 ENGLISH

2 from Father Point to Les Escoumains, do you know of any
3 accidents which would have happened off the station?

4 A. I know of a few very near misses where
5 people got frightened out of their wits a few times and
6 I doubt if this would have taken place on the other side.

7 Q. Now, your third comment which I quote,
8 "That the passive attitude of most pilots was responsible
9 for the deterioration and gradual loss of prestige of
10 the Quebec Pilotage District."

11 Now, sir, in connection with that comment, I
12 believe that it is also stated : within your brief that
13 the Board of Directors, or the Directors of the Corporation
14 or the Association seem to have had their hands tied as
15 you say.

16 Now, would you elaborate on these two statements,
17 please?

18 A. Would you again repeat the first one please?
19 I was busy finding it in my brief.

20 Q. In connection with your third comment on
21 page five, I believe that it is stated elsewhere in your
22 brief that the Directors of the Corporation or Association,
23 I don't know which, seem to have had their hands tied.

24 A. I don't believe this was your first
25 question. Hands tied came second?

26 Q. That is right, and the first question was
27 that I was reading your third comment.

28 A. I see.

29 Q. That was the first part of the question.

30 Now, I would like you to explain.



1 ENGLISH

2 A. Explain the fact that the hands of the
3 Board of Directors seemed to be -- you mean the hands
4 of the Department seemed to be tied?

5 Q. That is right, the hands of the Directors.

6 A. Well now, I explained in another part of
7 the brief that when the transfer of the pilotage station
8 to Les Escoumains was a fact, certain conversation
9 definitely took place between, not necessarily the
10 Board of Directors at first, but between some pilots
11 and the Department in order eventually to bring about
12 the transfer. ~~Francis~~ Certainly reached some sort of
13 understanding.

14 Q. You ~~were~~ presuming, I guess, when you say
15 that?

16 A. Well, sir, --

17 Q. Do you have definite proof of that?

18 A. It couldn't have been done any other way.
19 In fact, what I have been told is what I have heard
20 repeated mouth to mouth between pilots, most of them
21 personal conversations and let me state, for instance,
22 that some five or six years prior to the transfer three
23 pilots in particular, one of whom was a member of the
24 Board and the second one I can't state for sure, but
25 I can verify later, the third one was not, these three
26 pilots very often travelled back and forth from Ottawa
27 down to the coast, and they had discussions. They were
28 seen together driving together. I am pleased to say here
29 it was not with Captain Slocombe; other officials of the
30 Department.



1 ENGLISH

2 I haven't heard a thing against him so far. One
3 of these three pilots unfortunately has died since, the
4 other two are still very much alive and they were
5 notorious for their upholding of this idea of the trans-
6 fer. This was also mentioned in connection with the
7 pilot vessel, Citadel. These same pilots kept on repeating
8 time after time that the pilot vessel, Citadel, was too
9 big, although they themselves had found themselves on
10 board in heavy weather as I have; As we all had, and she
11 looked very small at times and why they uphold this
12 idea, I can't venture to say.

13 It was of no interest to the pilotage to mention
14 it in that connection. I can not say whether it was a
15 personal interest to themselves or -- that is what makes
16 me state that there must have been dealings between these
17 three pilots and possibly along with them the Board of
18 Directors although I wouldn't implicate anyone and year
19 after year we kept on hearing rumours that there would be
20 a transfer.

21 These rumours got stronger as the years went
22 by and yet most pilots did not seem to attach much
23 importance. Most of them did not believe it would ever
24 come about to start with, except a very few who knew more
25 than we did about it, and who perhaps informed a few of
26 their friends.

27 Well now, amongst the Quebec Pilots, it's a
28 little different than some of the other Districts. For
29 instance, according to information received after the
30 sittings of this Commission in other places of pilotage



ISH 1 we heard, for instance, that the Halifax District was
2 split right down the middle, the two factions. One is
3 of the opinion of one, and the other is the opinion
4 of something else and we discussed these things quite openly.
5 Now, in the Quebec District on the other hand, there is
6 a great secrecy. People seem to be afraid to state these
7 things, talk about these things in public. Instead of
8 two different groups, there are three different groups in
9 my opinion.

10 Q Would you describe what these three groups
11 represent?

12 A. Well now, I would say that there is one
13 group of the pilots who favour the present administration,
14 for instance. There is another group --

15 Q When you say "administration", do you
16 mean the method or the system or the present Board of
17 Directors? The individuals which form the Board of Directors?
18 A. Well, let us say the present rules of
19 procedure of the existing New Corporation.

20 Q. Thank you.

21 A Now, the other group, the second group
22 previously would be against these rules. The third group
23 are the indifferents. The people who sit on the fence and
24 will do anything whichever way the wind blows.

25 Q. Would you be able to give the Commission
26 an idea of the size of these groups?

27 A. I would say they are about equal in number,
28 apparently. It is very difficult to give numbers here.

29 Q. Now, is this what you mean in your third
30 comment when you talk about the passive attitude of most



1 ENGLISH

2 pilots?

3 A. Yes, I would say that the indifferents do
4 nothing at all about it, refuse to believe it. The ones
5 who are against it, did not take strong action. I believe
6 most of them regret it today but this is a little late
7 in the day. Had they taken strong action, this would not
8 have come to pass, I am convinced of that, but as the
9 indifferents, they did not think it would come about.

10 Q. What is wrong with Les Escoumains?

11 A. You probably mean now from an economic
12 point of view.

13 Q. From all aspects. You say there is a
14 group against Escoumains. I would like to know what do
15 they find wrong with Escoumains?

16 A. Well, for one thing money, doesn't make
17 anyone happy but it certainly helps a great deal and
18 speaking for my personal case, I have seen my expenses
19 just about double, nearly double.

20 Q. Why?

21 A. Well, talking about expenses only?

22 Q. Yes.

23 A. I have to take a cab every time I get to
24 Escoumains from the pier to the hotel. I have to take one
25 back to the pier from the hotel. The hotel room, I am
26 not against. We had to do that on the other side. The only
27 objection is that we do not now have CQS. Citadel and she
28 proved very efficient, so a pilot is expecting a vessel
29 to show up between the hours of midnight and five or six
30 in the morning. It was very pleasant to stroll down at



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2 night and lie down on the ship and be called some 10 or
3 15 minutes before embarking.

4 Whereas now, you may sit in the hotel at ten
5 or eleven o'clock at night and a couple of ships may show
6 up and you may be lying down for say, for half an hour or
7 an hour, even two hours. I don't think it is reasonable
8 to have to pay the price of a hotel room every time just
9 for a few minutes like that. We didn't have to do that
10 when the Citadel was there.

11 Had the Citadel remained on the station at
12 Escoumains, quite a few pilots would not have objected
13 much to the station. The main objection is money. Always
14 is money, of course, and navigation advantages, safety of
15 the vessel. I mean I like my work. I should also like
16 to feel comfortable doing it as much as possible.

17 Q. Isn't your work cut down in view of the
18 fact that the District is shorter now?

19 A. Yes, there is no denying that.

20 Q. You save 35 miles, so you might save
21 roughly about three hours on every pilotage trip, on
22 every trip?

23 A. Yes, at least that, sir.

24 Q. Now, sir, your fourth comment, which I
25 quote: "That the present newly formed Corporation of
26 Quebec Pilots seem to have become a form of dictatorship
27 which is not compatible with our democratic way of life."

28 Now, I should like you to amplify that state-
29 ment, giving examples as much as you can.

30 Q. I will try and do that sir. I would like



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2 to repeat here that there is no animosity on my part
3 against anyone. I do not wish to be hard against anyone.
4 I feel a bit lonely up here this morning after what
5 happened yesterday afternoon because begging the courts
6 indulgence, I would like to repeat here that I am not
7 bitter against anyone at all, in fact, I admire Mr.
8 Lalonde for his achievements for having managed all this,
9 but it does not say that he is not left open to
10 criticism like anyone else, I don't think, so I will
11 answer your question now, sir.

12 Q. If you would, please?

13 MR. LALONDE: I completely agree with Mr.
14 Koenig, although I do not manage at all.

15 THE WITNESS: I do not think Mr. Lalonde
16 understood my statements about managing. It doesn't
17 mean running a corporation. It means getting to where
18 he is now, sir.

19 Now, before I go any further, I have here a
20 document with me that was made a little fuss of yesterday
21 afternoon.

22 Q. Yes, and I believe you can give the
23 Commission some explanation of this document?

24 A. Yes, I can. Well now, when Mr. Barras
25 was on the stand yesterday before noon, he was asked
26 about administration expenses in a certain year. He
27 slipped up on the figures, not by much, but people,
28 everybody watching everything, they want everything as
29 accurate as possible. I agree with them, so at lunch
30 hour I had this statement in my brief case and I found no



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2 objection in passing it on to him to he could rectify his
3 statement.

4 Now, later on, my lord, and the Commission had
5 some doubt as to the validity of this document. It was
6 shown to the Federation Council, Mr. Lalonde, and the
7 president of the Federation. I think I should explain
8 now where I obtained that.

9 Q. Yes, please.

10 A. On the occasion of the last annual
11 meeting of the Corporation, as we entered the meeting,
12 the normal procedure is to supply each pilot with a
13 financial statement for the past season. Now, along on
14 the same table where these financial statements lay, were
15 piles of these statements.

16 Q. By "these statements" do you refer to the
17 document which was in the hands of Captain Barras
18 yesterday?

19 A. Yes, sir, and the one you are holding
20 now. I am quite fond of statistics. Other people are
21 fond statistics. I have a fellow pilot who is fond of
22 statistics. I sometimes obtain some from him and he
23 obtains some from me.

24 Well now, this fellow pilot actually compiled
25 the report you are looking at sir, and it was issued to
26 all coming members, to all entering members, a couple of
27 statements. When this was shown to the Federation
28 Council yesterday afternoon and the directors present,
29 they definitely knew about this and I don't see why they
30 didn't immediately clarify the situation. There was no



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2 secrecy, no mystery. This document includes several
3 years, five years.

4 THE CHAIRMAN: Do you recall at which meeting
5 you obtained this document?

6 THE WITNESS: Yes, my lord, the last annual
7 meeting, 1962.

8 THE CHAIRMAN: What month was it?

9 THE WITNESS: I think in January, my lord.

10 Q. January of 1963?

11 A. 1963, yes. 1962 rather.

12 THE CHAIRMAN: Look at the document.

13 THE WITNESS: I obtained this document, my
14 lord, on the same date I obtained this financial statement
15 so this will immediately clarify the situation. It was
16 1963 since I had the statement for 1962 here.

17 Q. May I see the statement for 1962, please?
18 Apart from these statements and documents which I would
19 like now to file, my lord, if you please.

20
21 ---EXHIBIT NO. 596: Statistics on the pension fund and
22 administration expenses for the
23 Quebec Pilotage District for the years
approximately 1935 to 1961 inclusive.

24 THE CHAIRMAN: Of course this document is
25 filed only as a document, not as an official document but
26 as a document that the witness has found on the table
27 on the occasion of the annual meeting of 1963?

28 MR. JACQUES: Yes, my lord.

29 THE CHAIRMAN: Held in January, 1963?

30 MR. JACQUES: Yes, my lord.

Q. Now, if we may come back to your comments



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2 You seem to think that the present set-up is a dictatorship,
3 would you amplify that statement please?

4 A. Yes sir. Well now in order to start,
5 these annual meetings of the pilots are not sworn to
6 secrecy, by any means. Newspaper people are present as
7 a rule. Well on the occasion of this last meeting, counsel
8 Lalonde mentioned at one point, after referring to the
9 coming sessions of the Royal Commission, that anyone
10 was entitled to produce a brief, but whoever did produce
11 one must be extremely careful since proceedings would be
12 conducted more or less as those in a court of law. Who-
13 ever did produce a brief would be questioned and trans-
14 questioned on the stand and he would be prepared to
15 subject himself to any kind of pressure that was judged
16 necessary by other parties.

17 THE CHAIRMAN: What do you mean by "pressure"?
18 There, of course, is the pressure of the trans-questioning.

19 THE WITNESS: Yes my lord, that is right. I
20 am not aware that Mr. Lalonde at the time knew of my
21 producing a brief, although I strongly suspect and I do
22 not think he knew of anyone producing one since there was
23 no one at the time so I felt a sort of target, and I don't
24 see personally why there should have been an attempt at
25 intimidation.

26 Q. Would you consider that statement
27 intimidation?

28 A. I think it was because on the strength
29 of circumstances, most Quebec pilots are afraid to speak
30 out, for several reasons. I think it would have taken



MR/RPS 1 very little to make anyone desist from putting in a brief

2 Q. You said most Quebec pilots are afraid
3 to speak out. Would you know of any such instances of
4 pilots afraid to speak out?

5 A. I think I can give you a perfect example.
6 Now precisely at this last annual meeting, I had a few
7 questions to ask. Other pilots had a few questions to
8 ask. Most of them did not ask them. I asked, for instance,
9 that a secret ballot should be taken on the subject of
10 compulsory contributions to the Federation Congress
11 yearly.

12 Now the way matters stand, whether a member
13 goes to the Congress or not he has to contribute. Now
14 I know for certain that in several professional organiz-
15 ations, dentists, for one, that a member is not forced
16 to pay contribution if he doesn't wish to go to the
17 congress.

18 Well now in answer to that, I forget whether
19 it was counsel Lalonde or the President of the Corporation
20 said that a raised hand vote would be taken as to whether
21 a secret ballot was desirable or not. Well to me this
22 simply meant it wouldn't take place.

23 Q. Why? Why does it mean that to you?

24 A. It means that to me because when hands
25 are raised, my hand was raised and that of two other
26 pilots only, out of 55, 60 present and I am convinced
27 at least half of those did not wish to make a forced
28 contribution to the Federation. They told me so the
29 whole season long.

30 Q. Some of the pilots present at that meeting



1 ENGLISH

2 who did not raise their hands on the matter of a secret
3 ballot had told you that they were against contributing
4 for congress purposes?

5 A. Yes, sir.

6 Q. Whatever it may be called. Did you speak
7 with them afterwards?

8 A. Yes, sir. I rebuffed a few of them for
9 not raising their hands.

10 Q. What happened?

11 A. Some of them had all sorts of excuses, like
12 those in the gospel.

13 Q. I am not familiar with the gospel.

14 A. If a man was reaching the age of retirement,
15 he would be afraid of his pension. I don't know why he
16 would be afraid of seeing his pension not reduced, because
17 it is not possible but a motion is always possible on the
18 part of the Board of Directors to reduce a pension on the
19 precise year a man is due to retire. It has not come
20 about very often, but it has been done before. It is always
21 within the bounds of possibility.

22 Q. You say it has been done before. Would you
23 recall when?

24 A. Quite a few years ago. You would have
25 to refer to the movements of the pension fund. Again sir,
26 they may be in that statement I gave you before. I am not
27 too sure about that. I can procure them easily.

28 Q. So that is one example of what you claim is
29 not a democratic way of doing things. Would you know of
30 other examples?



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2 A. Yes, I think I can mention something else
3 here. I was present at a certain annual meeting. I can't
4 remember which, it's either 1957 or 1958 where it was
5 suggested that a certain sum of money should be handed out
6 to the Administrators, or Directors at the time in
7 compensation for their pains.

8 Q. That was before the Corporation? That was
9 the Association?

10 A. Yes. Well, someone immediately stood up
11 and said he was against this proposition. Most pilots
12 were against this proposition. One pilot suddenly stood
13 up and suggested that turns should be granted these people
14 instead of money. It wasn't to be money. It was to be
15 turns, which, to my mind, is worse than money. It did not
16 come about at that particular time. It did not lose any
17 time coming about; as soon as the idea had been properly
18 hatched in the minds of the new administration when the
19 Corporation was formed.

20 Q. You say "turns" are worse than money.
21 Would you explain that please?

22 A. Yes, sir. It is quite simple. When a man
23 is being granted turns for the time he is ashore, and his
24 fellow pilots are running up and down the river on ships,
25 he is getting paid for work he has not done. He is getting
26 retribution for work that has not been performed. I mean
27 by this that when a man boards a ship, when a pilot boards
28 a ship, no matter how capable he is, no matter how
29 capable he thinks he may be, anything is liable to happen,
30 even with the greatest of care.



1 ENGLISH

2 In other words, his licence is in the palm of
3 his hand. Such is not the case where a man is sitting
4 at the committee meeting.

5 Q. So you feel that the granting of
6 would not be just, because the pilot sitting at the
7 committee, apparently, has nothing at stake whilst when
8 you were on a turn piloting ships, your licence is at stake.
9 Do I understand you correctly?

10 A. That is correct.

11 Q. Now sir, I would ask you to elaborate on
12 your fifth statement as regards the pension fund.

13 Q. Would you have a more precise question?

14 Q. Well, you state that the Quebec pilots
15 pension fund should have been dissolved a few years ago.
16 The present individual contributions are exorbitantly
17 large and not necessary. You say the contributions
18 are high. It means you have compared these contributions
19 with other contributions, with the contributions of other
20 pension funds.

21 A. Yes, I have sir, but I am not in a position
22 to give figures on other pension funds but I am quite
23 sure in stating here that a man who contributes some \$1,500.00
24 yearly to a pension fund should be granted more than a
25 \$3,000.00 pension on his retirement.

26 Q. \$3,000.00 a year?

27 A. Yes, sir.

28 Q. And would you contribute \$1,500.00 for how
29 many years in order to obtain a pension of \$3,000.00 a
30 year?



1 ENGLISH

2 A. Well, I would have to be on at least 20
3 years.

4 Q. Well sir, I may state here that it is my
5 intention to examine carefully the various pension setups
6 as they exist in all the districts, and present that
7 evidence at some later date when expert advice would
8 have been sought. Now, your last statement, "statistics
9 may be at times erroneously interpreted." To which
10 statistics do you refer?

11 A. I refer, sir, to the statistics that a
12 few of my fellow pilots had to compile throughout the
13 past season which were in connection with the coming
14 session of the Royal Commission.

15 Q. Do you refer to any statistics that have
16 been contained in the pilots' brief?

17 A. Yes, sir, I do.

18 Q. Would you point out these statistics to
19 me, please? I show you a copy of the brief presented by
20 the Federation of St. Lawrence pilots.

21 A. I was referring, sir, to statistics whereby
22 a figure was arrived at indicating the number of hours
23 worked weekly.

24 Q. I see. What happened to these statistics
25 to which you refer? Were they prepared before you wrote
26 your brief?

27 A. No, sir, not that I know of. They started
28 on them. They had not finished compiling them at the
29 time.

30 Q. Did they start before you wrote your brief?



1 ENGLISH

2 A. Yes, sir.

3 Q. Now, this reference to these statistics,
4 would you also refer to the Departmental statistics?

5 A. Well, I refer to any type of statistics
6 with reference to the work of the pilot, mentioning the
7 number of hours he worked daily or weekly.

8 Q. Why do you think this is not right?

9 A. Well, simply, sir, if a man works 24
10 consecutive hours in that particular week in comparison
11 to another man who would work 40 hours a week, for
12 instance, a man who worked those 24 hours consecutively,
13 I have done it a few times, is certainly not fit to go
14 to work the next morning.

15 If these hours had been split into four hours
16 a day, in the course of the six days, that would have been
17 a different story. That is one point where statistics,
18 as far as pilots are concerned, ~~can not be~~ interpreted
19 as such.

20 Q. I would say that I am in agreement with
21 you in that respect.

22 A. Another thing sir, I think that the average
23 pilot likes to think of himself as a professional,
24 enjoying that status of a contractor of a sort. I would
25 say that a pilot aboard a vessel, who brings it to
26 destination is more or less fulfilling a contract with
27 his employer so I do not think that people generally ask
28 questions of a contractor, how many hours he works a week
29 or anything like that. I do not think it comes into
30 it at all.



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2 Q. So you feel that you are a contractor
3 and that the number of hours you work or when you work
4 them is none of other people's business?

5 A. I wouldn't say so in so many words, but I
6 say that it applies here where pilots are concerned and
7 these statistics, what I really mean here, these statistics,
8 as I have mentioned them, can be badly interpreted by the
9 man on the street, especially the man who still thinks
10 the pilots wages are paid out of the taxpayers' pockets.
11 This is absolutely wrong. They are paid by foreign
12 countries, most of them.

13 Q. Now, sir, outside of your brief altogether,
14 I am instructed that the Corporation receives the total
15 collection of pilotage dues, less a percentage which goes
16 into the pension fund to the Association. We were told
17 that a cheque was made out every two weeks to the
18 Association and that every two weeks the pilots are paid
19 by a cheque signed by the Corporation of the St. Lawrence
20 pilots.

21 A. I believe it is correct, sir, yes.

22 Q. And I understand that between the two
23 Corporations there are some deductions made for expenses,
24 etcetera?

25 A. Yes, sir.

26 Q. Do you as a member of the Corporation have
27 any control over these expenses?

28 A. No direct control whatsoever.

29 Q. You say, "no direct control". Did you
30 have any indirect control?



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2 A. Yes. It could occur in a great emergency
3 but, for instance, I believe two thirds of the present
4 existing members of the Corporation should decide
5 together that they objected to this or that sum of money
6 being deducted and it couldn't be, that It has to come
7 to that.

8 Q. Yes, but I understand that the money is
9 deducted first?

10 A. Yes, sir, and I am one of these people
11 who thinks that the only money that should be deducted
12 first is the sum that goes to the pension fund and any
13 other monies should be better controlled by all members.

14 They should be consulted more in detail as to
15 what monies are spent. I think a man's salary is more or
16 less sacred and the whole thing, I think, hangs on a very
17 elastic paragraph in the rules of the former Association.
18 I doubt if there is one in the present Corporation at all.
19 In the old Association it was page 4, , clause 6, if my
20 lord would like to hear the reading of the paragraph.

21 THE CHAIRMAN: Please.

22 THE WITNESS: It is a short one. La Société est
23 formée pour une durée de 56 ans à partir de la date de sa
24 mise en force le vingt et un (20) mai mil neuf cent
25 vingt quatre (1924), et devra par conséquent prendre fin
26 le vingt et un (21) mai mil neuf cent quatre vingt (1980)
27 pour tous les membres, quelle que soit la date de leur entrée,
28 ou le cas échéant, jusqu'à la mise à la retraite ou le décès
29 de tous les membres, si cet événement se produisait avant
30 le terme fixé. Aucun membre de la Société ne pourra se



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2 retirer, sans l'assentiment de tous les autres membres
3 signataires du présent acte, à moins de cesser absolument
4 d'exercer le pilotage." " You must excuse me, my lord, I
5 made a mistake here, I read the wrong clause, although
6 I intended to come to that one at another time. This
7 other clause is page 10, clause 30.

8 Q A very long one?

9 A I only wish to read the first paragraph,
10 my lord, and it is a short one. "Le bureau de direction
11 ne pourra et ne devra intenter de poursuite judiciaire,
12 ni disposer d'aucun argent, sans avoir l'approbation ou
13 l'autorisation des deux tiers des membres, sauf pour la
14 saine administration de l'Association."

15 Now when I refer, my lord, and Commissioners to
16 the "sane administration," I think that can be a very
17 elastic word if it is placed in the hands of people who
18 lack some experience.

19 For instance, I was present at all annual
20 meetings since I was granted a pilots licence in 1951.
21 I have seen very hot arguments, people nearly coming to
22 blows in the course of an annual meeting because of
23 35 cents; because of sums less than a dollar. Now,
24 thousands and thousands of dollars are mentioned freely
25 and no one seems to have any objection whatever. Those
26 that have objections don't question them. That is what
27 I mean by a sane administration.

28 Q Under the actual setup is there anything
29 that you can do to prevent any expenses from being made?

30 A I can not see anyway of doing so, short



1 of the measures I mentioned before which are too
2 difficult to achieve.

3 Q. Let us suppose that the general meeting
4 approved of an item on the expense list, an item of
5 expenditure which might be item X, \$10,000.00. Do you
6 know if the members would be reimbursed that amount or
7 how they can be reimbursed that amount?

8 A. In the first instance, I do not think
9 that is likely to come to pass. I have only been
10 present at one instance where a sum of money was turned
11 down by the members, in sufficient members.

12 Q. Was it the Corporation or the Association?

13 A It was the Corporation.

14 Q. And you say that the members turned down
15 an expense?

16 A. Yes, not quite unanimously but there were
17 enough grunts and groans from the back rows to put a
18 stop to it.

19 Q. Now, was that a proposed expenditure or
20 an actual expenditure; money which had already been
21 spent?

22 A. No, sir, it was something that was
23 being suggested by a few of the members.

24 Q. I see. Do you know of any cases where
25 the members would have refused to approve the expenditures
26 as made during the fiscal year?

27 A. Not in sufficient numbers. That is, not
28 openly, not in an official manner.

29 Q. Thank you, sir.

30 THE CHAIRMAN: Before going into the cross-



1 ENGLISH

2 examination of this witness, we will adjourn for a few
3 minutes.

4
5 ---Short Recess

6
7 ---Following Short Recess

8
9 DIRECT EXAMINATION BY MR. JACQUES, (Continued):

10
11 Q. Mr. Koenig, a few questions as regards the
12 expenses of the Corporation. You have handed me a
13 financial statement ending 15th December, 1962 for the
14 Corporation of the Lower St. Lawrence pilots. Do you
15 receive any other information as regards the expenses
16 of the Corporation?

17 A. Yes sir, we do every fortnight. With the
18 fortnightly check a statement is sent along giving...
19 general expense amounts, sort of thing. It may be
20 \$7,000.00, it may be \$8,000.00, it may be \$9,000.00,
21 maybe far less but never much detail as to those expenses.

22 Q. Would you have a copy of one of these
23 statements with you?

24 A. It is possible. I am not too sure about
25 that.

26 Q. Would you look, please?

27 A. Yes, sir. There is one here, sir, dated
28 July 20th, 1963.

29 Q. So if I understand your evidence correctly,
30 this statement dated the 20th of July, 1963, distribution



1 ENGLISH

2 number six, is sent along to you with your pay cheque?

3 A. That is correct.

4 Q. Every fortnight?

5 A. That is right.

6 Q. And this gives a detail of the expenses
7 incurred for a certain period of time?

8 A. Yes, sir.

9 Q. And apart from this statement you receive
10 a copy of a financial statement, a yearly one?

11 A. That is correct.

12 Q. This would be the only document you would
13 have relating to expenses of the Corporation?

14 A. Yes, as far as I know. There may be an
15 official sheet at the end of the season, sort of an
16 adjustment of official salaries to be paid, and the
17 accounts not collected up to date. The accounts being
18 balanced. There is only that final sheet that I can
19 think of at the moment.

20 Q. My lord, I should like to file in a bundle,
21 documents dated the 20th of July, 1963, distribution
22 number six and also the financial statement of the
23 Corporation of the Lower St. Lawrence pilots for 1962,
24 Exhibit No. 597.

25
26 ---EXHIBIT NO. 597: Bundle of documents dated the 20th
27 of July, 1963, distribution number
28 six and financial statement of the
29 Corporation of the Lower St. Lawrence
30 pilots for 1962.

Q. Thank you.



1 FRENCH

2 CROSS-EXAMINATION BY MR. LALONDE:

3
4 MR. LALONDE: On the point of the exhibit just
5 produced, my lord, 597, called financial statement for
6 December 15th, 1962 for the Lower St. Lawrence pilots
7 in the Quebec District and downstream, I have no objection
8 to the filing of this exhibit except concerning one of the
9 annexes in that document which is annex B, and to that
10 effect I should like to refer your lordship to the
11 position adopted by my colleague, Mr. Mahoney, during
12 yesterday's meeting by which he said he was not interested
13 in knowing how much each pilot individually received
14 throughout the year but he was interested in having
15 global amounts. I am talking about annex B. I think
16 you are looking at the footnote, the pension fund. I
17 think if you look at the beginning you will see the
18 section concerning the Corporation of Lower St. Lawrence
19 pilots, and it says distribution ending in December 1962
20 for that year.

21 I have no objection to that document being left
22 with the Commission for any analysis it might want to
23 make, but I see no interest for such a document being
24 put in the hands of all the parties to this Commission.

25 I think the attitude adopted by Mr. Mahoney
26 yesterday along these lines confirms my request, and I
27 think this would be deposited for information of the
28 Commission but not transmitted to third parties concerning
29 this particular annex.

30 MR. BRISSET: My lord, I must say I do not have



1 FRENCH

2 the same attitude as Mr. Mahoney and I think it is of
3 interest to the ship owners to know the document. I
4 must say in the name of the Ship Owners Federation we do
5 not have the same attitude as the Dominion Marine
6 Association concerning the documents mentioned by my
7 colleague and I think it is of interest to the Ship
8 Owners to know the figures of this document.

9 However, I am quite willing to consent that
10 these figures be not made public but only to interested
11 parties in the Commission.

12 MR. LALONDE: The Lower St. Lawrence Corporation,
13 as well as other Corporation, and the Association of
14 Pilots, for the Harbour of Quebec have some regulations
15 concerning the distribution of income. These regulations
16 stipulate all the ways in which the income is divided
17 amongst a pilot according to the number of turns made,
18 etcetera.

19 With the type of figures appearing in the
20 balance sheet, and examination of the regulations of the
21 Association and Corporation, the parties to this
22 Commission have all the information necessary to find
23 out what is the net income of each individual but I
24 see no reason why it would be in the interest of the
25 parties to know the exact income of Pilot Koenig, for
26 last year, for instance, or for any other pilot.

27 Now, as to the argument of the witnesses that
28 it could be shown to the Commissioners without being
29 shown to the public, I do not think this is a good
30 policy for the very good reason that the council will



1 FRENCH

2 always be able to use that for examining the witnesses
3 and I should like to add it is not a fact that we
4 want to hide anything. We do not have anything to hide
5 but I think this is a general policy that should be
6 followed.

7 THE CHAIRMAN: This information has been given
8 wherever we have gone and we have it for all other
9 districts. The procedure which has been followed is to
10 deposit something as an exhibit and there was a
11 gentlemen's agreement between the counsel not to mention
12 the amount unless it was absolutely essential. So this
13 is what has happened up to now and very seldom have
14 amounts been mentioned because, otherwise, somebody would
15 have to come and examine the exhibits or somebody would
16 speak about it voluntarily.

17 I am looking myself at the documents and after
18 the public statement made yesterday in the newspaper,
19 I think it would be a good thing to give the exact amounts
20 the pilots received during 1962, which is far from
21 being the \$16,000.00 to \$18,000.00 as mentioned in the
22 newspaper.

23 This is what happens when you do not have the
24 whole story. So I am going to allow the filing of this
25 document and I should like counsel to limit themselves
26 to this gentlemen's agreement and only mention it if
27 it is absolutely necessary.

28 MR. LALONDE: I haven't got the slightest
29 doubt that my colleague, Mr. Brisset, is a gentlemen and
30 I understand I have his agreement on this question.



1 FRENCH

2 THE CHAIRMAN: Of course, if it is needed in
3 a special case, then we have to do it. That is all.
4 Mr. Poisson, I think you have some questions to ask the
5 witness?

6
7 CROSS-EXAMINATION BY MR. POISSON:

8
9 Q. Mr. Koenig, you said a while ago in your
10 evidence that you had seen the brief of the pilots to the
11 Commission.

12 A. Yes, I have looked at it briefly. I don't
13 know it by heart.

14 Q. Are you particularly aware of page 228 of
15 a recommendation concerning having pilots docking within
16 the Harbour of Quebec? Are you aware of that? I am asking
17 you a personal opinion. Do you think this is necessary,
18 to establish a docking pilot system, a system of docking
19 pilots for the Harbour of Quebec?

20 A. I don't think it is absolutely necessary
21 but if employers are willing to pay the expenses attached
22 to it, I wouldn't be against it.

23 Q. Therefore, you think that before
24 establishing such a system there should be an agreement
25 between the ship owners and the pilot corporation?

26 A. Absolutely. This shouldn't be done without
27 their consent.

28 Q. Thank you.

29
30 CROSS-EXAMINATION BY MR. LALONDE (Continued):



1 FR/ENG

2 Q. "Monsieur Koenig, vous avez mentionné, je
3 crois, que vous êtes pilote depuis mil neuf cent cinquante
4 et un (1951), n'est-ce pas?

5 Q. Mr. Koenig, you mentioned that you have
6 been a pilot since 1951. Is that right?

7 ENGLISH

8 MR. JACQUES: Do you have any objection to
9 French?

10 THE WITNESS: I would prefer it in English.

11 MR. JACQUES: You can answer it in English if
12 you wish.

13 THE WITNESS: Thank you.

14 THE CHAIRMAN: Here is the procedure: If you
15 want to have an English translation of the question, you
16 use the hearing aid.

17 THE WITNESS: Thank you, my lord, it won't be
18 necessary.

19 THE CHAIRMAN: I think you understand all right.
20 You may answer in English.

21 THE WITNESS: It will be quite all right, thank
22 you. Would you repeat the question if you please?

23 Q. Je crois que vous m'avez demandé de
24 répéter la question, n'est-ce pas?

25 Q. I think you asked me to repeat the question?

26 A. Yes, if you please.

27 Q. Je crois comprendre que vous êtes pilote
28 dans la circonscription de Québec depuis mil neuf cent
29 cinquante et un (1951), n'est-ce pas?

30 Q. I think that you have been a pilot in the



1 FR/ENG

2 Quebec District since 1951?

3 A. That is correct.

4 Q. Et que antérieurement, vous avez eu une
5 expérience en mer assez prolongée?

6 Q. And before that you have had long
7 experience at sea?

8 A. That is right.

9 Q. Et que pour la majeure partie de votre
10 vie, vous avez vécu au Canada?

11 Q. For the greater part of your life you
12 have lived in Canada?

13 A. That is also correct.

14 Q. Considérez-vous le Canada comme un pays
15 démocratique?

16 Q. Do you consider Canada a democratic
17 country?

18 R. En autant que ça puisse se concevoir.

19 A. As far as one can conceive it, yes.

20 ENGLISH

21 THE WITNESS: I don't mind answering Mr.
22 Lalonde's questions in French. I don't mind also giving
23 the reasons why I prefer English to the other counsel,
24 because 90% of the business of pilotage is done in English
25 language. Anything pertaining to ships, navigating on the
26 Lower St. Lawrence is easily understood by people
27 practising in English.

28 THE CHAIRMAN: You have no reason to give at
29 all because we are a bilingual country.

30 THE WITNESS: Thank you, my lord.



1 FRENCH

2 Q. According to you, what are the main
3 characteristics of life in a democratic country?

4 A. In general, free expression of language
5 and religion within reasonable limits.

6 Q. - From the political point of view, doesn't
7 that imply that one has agreed to honour the rules of
8 the majority carried out through election and voting?

9 A. Yes, inasmuch as violence is excluded
10 from it.

11 Q. You talk about freedom of religion and of
12 expression. That implies the freedom to express an
13 opinion within certain limits you have said.

14 A. Within reasonable limits.

15 Q. You have known during your life of the
16 dictatorship?

17 A. Yes, quite well.

18 Q. You have referred in your evidence to
19 your life in a concentration camp in four and a half
20 years?

21 A. That is correct.

22 Q. Do you think that this was dictatorship
23 at that time?

24 A. Are you talking about the place I was or
25 Canada?

26 Q. No. You were not in a concentration camp
27 in Canada?

28 A. No.

29 Q. The other place where you were.

30 A. Of course, it was a dictatorship.



1 FRENCH

2 Q. The main characteristics of a dictatorship,
3 what are they?

4 A. Do I have to answer all these questions,
5 my lord?

6 THE CHAIRMAN: Well, I see why these questions
7 are asked because you have used the word "dictatorship".
8 You said that the Corporation was a dictatorship. This
9 is why you are being questioned on that point.

10 Q. So you have called the regime where you
11 were in a concentration camp, a dictatorship?

12 A. Yes.

13 Q. If I can help you, I think that one could
14 define a dictatorship by being a regime which is kept
15 in force through violence in spite of the opinion of the
16 majority of citizens. Would that be a reasonable
17 description?

18 A. Yes, but this does not apply to the
19 present Corporation.

20 Q. I understand, To avoid going into long
21 definitions and argument over words, we are going to
22 refer to the Larousse the French dictionary.

23 MR. JACQUES: What edition?

24 Q. Where the word "dictatorship" is mentioned
25 and defined as follows: authority of a dictator in Rome by
26 extension: exercised without control absolute and
27 sovereign power. I think we can agree with Mr. Larousse
28 that that is quite a good definition of dictator?

29 A. Yes, Mr. Lalonde. I mentioned the type
30 this took was something near a dictatorship. It would



1 FRENCH

2 have a tendency to dictate.

3 Q. A form of exercise under the control of
4 a sovereign and absolute power.

5 A. If the dictatorship is complete.

6 Q. Now, I think you have mentioned your
7 age as being 48?

8 A. That is correct.

9 Q. Do you consider yourself a young or an
10 old pilot? Are you amongst the young generation or the
11 old?

12 A. I like to say I am neither young nor old.

13 Q. Are there many pilots who are in the
14 Corporation that you would consider as being neither
15 young or old?

16 A. About 30.

17 Q. About what age would that cover?

18 A. From 35 to 55.

19 Q. I think, Mr. Koenig, that you have been
20 a director of the Association since you were a pilot?

21 A. Yes, for one year.

22 Q. What year was it?

23 A. I think in 1952, but I am not absolutely
24 sure unless I want to go back home and check my records.

25 Q. Could it be 1955?

26 A. It might be.

27 Q. You were a director one year?

28 A. That is true.

29 Q. What happened at the end of the year?

30 Did you withdraw? Was there an election? Did you lose



1 FRENCH

2 the election?

3 A. I was defeated at an election. A normal
4 election.

5 Q. Now, as you know, I have had the opportunity
6 of reading your brief and I am sure that you will agree
7 with me that in a memorandum which is presented to the
8 Commission you only state things that one can prove.

9 A. Must I say yes or no? A yes or a no?

10 Q. I am asking you a question, you answer
11 the way you want?

12 A. May I answer in my way?

13 Q. Even if I want to prevent you, I couldn't
14 do that.

15 A. Well, Mr. Lalonde, when I sent the original
16 of my brief to the Royal Commission, the Secretary of
17 the Royal Commission, I was led to think that the
18 Commission would be interested. On the other hand, in
19 the same letter which I received, I was asked to
20 specify my position, to say whether I was speaking on
21 behalf of some colleagues or several colleagues or not.
22 Then I answered a letter which is attached to the
23 memorandum, and if you have read this letter, it explains
24 clearly my position.

25 Q. But my question was slightly different,
26 perhaps. Are you not of the opinion that in a brief,
27 such as this one, you should have only mentioned what you
28 can prove?

29 A. Not necessarily. You can express an
30 opinion if it is in the interest of the Commission to



1 FRENCH

2 hear about it.

3 Q. You can also express what you have heard.

4 THE CHAIRMAN: We can refer to written declaration
5 by lawyers if they had to prove everything they had said ---

6 MR. LALONDE: If we have to prove everything we
7 say, it would be very difficult in some cases.

8 Q. You refer to the letter which is annexed to
9 this brief dated December 27, 1962, and the brief is dated
10 December 27, 1962. I think that the legal advisor of the
11 Commission when depositing your brief declared that this
12 brief was given to him very recently.

13 A. Officially, yes. I first wanted to know if
14 the Commission was interested in it; this type of information
15 or any information which might reach his lordship and the
16 Commissioners and help in the case.

17 THE CHAIRMAN: Another example why the Commission
18 wants everything to be done in broad daylight, and nothing
19 should be hidden, nothing in camera.

20 MR. LALONDE: This is what I want to get to, my
21 lord.

22 Q. Now, if we take this letter attached to your
23 brief, I have noted that this letter is signed by yourself
24 but everywhere the plural is used, "we" or "they". I have
25 been used to the plural used by the Pope or Bishops but I
26 want to know if this plural is the one Popes use or
27 Bishops or does it represent other persons who are not
28 included in this signature?

29 A. To answer your question: this "we" you
30 mentioned is a form which should appear in all briefs which



1 FRENCH

2 are prepared by one person, even if it is one person who
3 prepared it.

4 Q. Where it appears here, it represents only
5 yourself?

6 A. That is correct.

7 Q. So if we desanctify this letter it gives us
8 "I" instead?

9 A. Perfectly correct.

10 Q. Thank you. On the second paragraph of your
11 letter I note that you state, and I quote in English,
12 "The memorandum would have most certainly been destroyed
13 instead of being relayed along to the Commission". Referring
14 to something you might have given to the actual administration
15 or the present system of administration. You agree with
16 me that this letter categorically --

17 A. I thought so at that time and I still
18 think so now because this brief has expressed several
19 criticisms, as far as the administration is concerned.

20 Q. Have you got any precedents or any reason
21 which might you lead to conclude that your brief, if it
22 had been transmitted to the administration, would have
23 been destroyed instead of having been relayed along to the
24 Commission?

25 A. Well, that is what I thought sincerely at
26 that time.

27 Q. If I understand you correctly, you had no
28 precedent or case or instance where the administration, the
29 Board of Directors would have destroyed documents coming
30 to it by members?



1 FRENCH

2 A. No, I don't know of any specific case.

3 Q. Or general?

4 A. Nor general.

5 Q. So this categorical statement, this
6 represents only what you were thinking when you were
7 writing it without having any specific or general case
8 to which you could refer on which to base your opinion?

9 A. I still think that sincerely today, the
10 same thing I thought before.

11 Q. Now, let us take the next sentence where
12 you say: "A great number of Quebec Pilots would definitely
13 like to air their greivances in an orderly manner." Do
14 you make this statement on the basis of a meeting with
15 pilots? What is the basis for this opinion?

16 A. On the basis of frequent discussion I had
17 with most pilots. I can not say a great number of pilots.
18 Since 1960, let us say.

19 Q. I think you have said you have been to all
20 the meetings since you have been a pilot, if I recall
21 correctly?

22 A. I think I missed the first two, but I
23 couldn't state definitely. The first two of the Corporation.
24 I am sure I missed one.

25 Q. Would it not be the one in this day?

26 A. It might be.

27 Q. When you answered Mr. Jacques a while ago,
28 you said that you never missed the general assembly?

29 A. I think you did not get the end of my
30 answer. Up to the setup of the New Corporation.



1 FRENCH

2 Q. Now, since the setup of the New Corporation,
3 except in one case you have been present at all the
4 meetings?

5 A. I think so.

6 Q. What are the various questions discussed
7 at the assembly?

8 A. The questions that are discussed by a
9 limited number of pilots, I am not ready to say that all
10 pilots are not willing to discuss, but, on the other hand,
11 I cannot say that the pilots who question or ask for
12 information were not welcomed. Well, they are told more
13 or less they should sit down or shut up or they don't
14 even get an answer sometimes.

15 Q. Do you know cases when information has not
16 been given to you or that an answer was not given to a
17 question asked?

18 A. I think so. I questioned on the sleeping
19 quarters.

20 Q. In what year?

21 A. Well, precisely the one in 1963, this
22 year.

23 Q. You said, "I think" are you not sure?

24 A. I am trying to answer to the best of my
25 knowledge. I asked the question to the Chairman at that
26 time to the effect that if one had tried to prevent
27 closing of these sleeping quarters and then the Chairman
28 answered that we had protested. That is not what I wanted
29 to know. I wanted to know if something had been done to
30 try to prevent this.



1 FRENCH

2 Q. But you got an answer nevertheless?

3 A. I didn't get an answer. I was just told
4 there was a protest, one protest once the sleeping
5 quarters had been closed.

6 Q. Did you try to find out if the Board of
7 Directors had been involved previously in this decision?

8 A. No, I did not try.

9 Q. You did not ask that particular question?

10 A. No.

11 Q. The general assembly of your Corporation,
12 your Association, takes place generally in an orderly
13 manner in comparison to any general assembly where there
14 are thousands?

15 A. Yes, more or less.

16 Q. In comparison to other assemblies that you
17 have been at; other meetings throughout your life?

18 A. Yes.

19 Q. And in comparison to these other general
20 assemblies to which you have participated, can it not be
21 said that it is more or less similar to any assembly where
22 about 60 persons meet?

23 A. There has been no violence.

24 Q. Has there been threats or attempts of
25 violence?

26 A. Oh, sometimes strong arguments, no threats
27 or violence.

28 Q. Further down in your letter: "No violence
29 was ever contemplated by such men." You were referring
30 to a great number of pilots, which is not defined further



1 FRENCH

2 up. Do you answer that violence was envisaged by others
3 than the great number of Quebec pilots?

4 A. It is possible.

5 Q. But you don't know?

6 A. Oh, I can give you an incident.

7 Q. One; one pilot has already threatened to
8 use violence. Please give this incident?

9 A. I have no objection, Mr. Lalonde. The
10 question of work stoppage. A gentleman has called me on
11 the phone about 24 - 48 hours before the settlement of
12 that strike. This gentleman told me, I heard that you
13 had offered you services to do pilotage. Which I hadn't
14 done. The Pilot Supervisor at that time could testify to that
15 I don't know if other pilots had made similar proposals.
16 This pilot said very clearly, showed me very clearly that
17 he would prevent me from going aboard, and one doesn't prevent
18 a man from going on board by telling him not to go on
19 board.

20 Q. Was he sober?

21 A. I think so. Well, at any rate he was
22 sober enough to know exactly what he wanted to say.

23 Q. You think so. This was a pilot.

24 A. Yes.

25 Q. Was that pilot one of the administrators
26 of the Corporation or Association?

27 A. No.

28 Q. Was he ever administrator of the Corporation
29 or Association?

30 A. Well, I don't think so.



1 FRENCH

2 Q. Since 1962?

3 A Certainly not.

4 Q You say you received a phone call 24 to
5 48 hours before the stoppages?

6 A. I couldn't tell you exactly, during that
7 time.

8 Q. Did you receive any other phone calls
9 previous to that, ones to the same effect?

10 A. Well, I received other phone calls, but
11 they didn't have to do with that.

12 Q. At any rate they didn't entail any threats
13 to you. This is the only case you can remember about
14 that?

15 A. Yes, I think that is the only one.

16 Q And the brief you have submitted here,
17 you have discussed that with other colleagues since
18 December, 1962?

19 A. Well, I see to it that at least 25 of
20 my colleagues read that brief.

21 Q. Fine, so we can reach the conclusion that
22 the majority of your colleagues were aware of the fact
23 that you were submitting a brief to the Royal Commission,
24 anyway?

25 A. Yes, I think so.

26 Q. And one might also say that practically all
27 the pilots were probably aware that you were going to
28 submit the brief?

29 A. Well, there was no secret about it.

30 Q. Were you subjected to any threats or



1 FRENCH

2 intimidation or statements of that type, with the
3 exception of the one I made at the meeting of 1962 that
4 you mentioned before which were aimed at preventing
5 you from submitting this brief?

6 A. Well, there were no threats directed to
7 me, no attempts of intimidation were made with the
8 exception that if I submitted it I would be prepared to
9 be very closely examined in the witness stand if I
10 submit the brief.

11 Q. That is what you have testified previously
12 as being intimidation?

13 A. In certain cases, with certain behaviour
14 and naturally this might be thought about as being
15 intimidation.

16 Q. Now, in the following sentence you refer to
17 this tissue of lies and falsehoods which brought about the
18 transfer of the Station to the North Shore and the
19 incorporation of the present administration. I would
20 like you to define for me the lies and falsehoods which
21 brought about the incorporation of the administration of
22 the present Corporation? In the first place when you
23 were talking about incorporation of the present
24 administration, naturally, I think you must be referring
25 to the setting up of the Corporation of pilots for the
26 Lower St. Lawrence?

27 A. Yes.

28 Q. And not the incorporation as such of the
29 present administration which is not incorporated. What
30 do you mean by an issue of lies and falsehoods which



1 FRENCH

2 which brought about the transfer of the incorporation of
3 the present administration?

4 A What I mean by that, in the first place,
5 is I still don't know even today why all these admissions
6 took place and why all these conversations of these
7 negotiations took place for four or five years before
8 there was a decision made to transfer the pilot station
9 from Father Point to Les Escoumains.

10 Q. My question has nothing to do with the
11 first part of your sentence concerning the transfer of
12 Pilotage Station to the North Shore. It has to do with
13 the admission to the effect that, and I read again in
14 English, "That this tissue of lies and falsehoods that
15 brought about the transfer of the station to the North
16 Shore and the incorporation of the present administration".
17 If I recall it correctly, I would like to bring your
18 attention to the last part of the sentence that the tissue
19 of lies and falsehoods brought about the incorporation
20 of the present administration?

21 A. That is about it.

22 Q. Well, can you tell us, give us another
23 intent of that sentence or another meaning of the
24 sentence?

25 A. If you let me resume, I was just arriving
26 at that point. I talked about negotiations which took
27 place between certain pilots in the offices of the
28 Department of Transport. I also stated that very few
29 pilots were aware officially of the discussions going
30 on at that time. We were not well aware of the activities



1 FRENCH

2 going on. We could hear about such and such a thing.
3 We were not believing what we were hearing about and
4 certainly we heard about Bill S-3. Many pilots even
5 today are slightly aware of what Bill S-3 was about.
6 I don't know myself very well. I am led to believe that
7 Bill S-3 if it is adopted ---

8 Q. I am sorry to interrupt you, but now you are
9 talking about Bill S-3 to transfer the station. My
10 question was what are the tissue of lies and falsehoods
11 which brought about the incorporation of the present
12 administration?

13 A I haven't reached that point. I am
14 arriving at the Federation. The whole matter was
15 sent from the Federation. Bill S-3 which has been
16 submitted to the Department with the intention to give
17 the Department the powers of exempting any foreign ships,
18 whatever it might be of paying pilotage dues. Perhaps
19 this wouldn't be implemented as a whole. Perhaps they
20 would have chosen at the outset, at any rate a good
21 many ships. At any rate, the pilots didn't know what
22 the terms were, so as far as I can gather mention
23 was made about the Federation. Everybody was made to
24 understand in so far as it was possible to do so that
25 the Federation was becoming really an absolutely
26 essential thing. Personally, today I am still of the
27 opinion that the Quebec Pilots who became pilots for
28 the Federation, it wasn't essential for them to become
29 members of the Federation because, for instance, a ship
30 going downstream to the Great Lakes.



1 FRENCH

2 Q. I am sorry, once again, perhaps you
3 could relate your whole story later on if you so desire,
4 but at the present time, up to now, I haven't heard at
5 all anything about falsehoods or lies which brought
6 about the incorporation of the present administration?

7 A. Well, if you could be more patient, Mr.
8 Lalonde.

9 Q Are you going to mention some of these
10 falsehoods.

11 THE CHAIRMAN: He also by extention leads to
12 the present administration. Please go on.

13 THE WITNESS: Thank you, my lord. Well, the
14 fact that the pilots were told, the fact that the pilots
15 of the Lower St. Lawrence had to become members of the
16 Association, to my mind wasn't substantiated, also it
17 wasn't proved. According to certain parties we understood
18 the pilots of the St. Lawrence became members of the
19 Federation. Would you like me to tell you why it wasn't
20 necessary for these pilots to become members of the
21 Federation?

22 Q.. That isn't an answer to my question.
23 Perhaps we could come back to that a little later on.
24 At this time I would like to ask you were you in
25 attendance at any assemblies when a decision was made
26 to become members of the Federation?

27 A. Well, I was there. I had been to certain
28 assemblies.

29 Q. Mr. Koenig, were you at a meeting that the
30 decision was made to become members of the Federation?



1 FRENCH

2 A. I don't remember.

3 Q. Don't you remember you went to all the
4 assemblies of the Association of licensed pilots of
5 Quebec?

6 A. Yes.

7 Q. Up to 1960?

8 A. Yes.

9 Q. Is it not a fact that the pilots of the
10 Lower St. Lawrence or Quebec became members of the
11 Federation while they were still operating under the
12 regime of Association of Licensed Pilots for the area
13 of Quebec and upstream, so you were there when this
14 proposal was adopted and voted against it at the time?

15 A. I don't remember. I must have voted
16 against it because I am still opposed to it, so I must
17 have voted against it.

18 Q. But you don't recall?

19 A. That is to say I can't say, for example,
20 what type of vote was taken. I don't know if it was
21 a secret ballot or vote with the raising of hands.
22 Usually I am against the showing of hands, voting by
23 showing hands. If it was a vote by the show of hands, I
24 probably didn't take part.

25 Q. You don't remember any facts about that?

26 A. No.

27 Q. Were you mislead by somebody about the
28 setting up of the Corporation of the St. Lawrence
29 pilots?

30 A. Well, now I am going to try and explain



1 FRENCH

2 that. By talking about lies and falsehoods and now I
3 am going to say here exactly what I mean by that.
4 Because the Board of Directors, if they hadn't been in
5 power at that time there wouldn't have been any incorpora-
6 tion. The present Board of Directors, that is to say,
7 the Board that was elected in 1960, to my mind has been
8 so elected through machinations which were discussions
9 between colleagues and I am going to be even more precise
10 on that. For example, the election of the new Board in
11 1960 coincided, as you know, with the transfer of the
12 Pilotage Station to Les Escoumains.

13 Q. Excuse me, you mean the election of the
14 new Board in 1960, are you referring to that Board of
15 the Association or the Corporation?

16 A. The Corporation.

17 Q. Is it not a fact that the Board elected
18 in 1960 was practically the same as that of the Association
19 in 1959?

20 A. When the transfer was done officially the
21 Board no longer, and the president was no longer on the
22 Board. As soon as the season is over and there is a
23 general assembly, according to the old system that
24 Board is no longer in power.

25 Q. It is subject to re-election?

26 A. Practically, because at that time they
27 were old directors.

28 Q. I don't understand, one moment now.
29 According to the old Association the Board was elected
30 for the navigation season?



1 French

2 A. Yes.

3 Q. As soon as the navigation season was over
4 this Board automatically was no longer in power?

5 A. Up to the next general assembly, that is to
6 say this Board was looking after matters which might be
7 raised but at the time of the general assembly -- there
8 are no longer any more directors. As soon as we get to
9 the general assembly, the president and the ex-officio
10 was generally president of the election and he was
11 submitting a report concerning his election and about the
12 preceding season and so forth.

13 Q. You have answered my question previously
14 concerning the lies and falsehoods by stating to us your
15 explanation concerning your lies and the falsehoods
16 concerning the incorporation were at that time to the
17 effect that if the Board in 1960 hadn't been there, there
18 wouldn't have been any incorporation -- 1959 I mean?
19 That is your argument?

20 A. Yes.

21 Q. Thank you. This would be the falsehoods
22 and the lies?

23 A. No, not yet. You want to know everything.
24 Listen, please. What to my mind happened and what I
25 call falsehoods -- I will tell you about it now. I have
26 indicated previously there were a certain group of pilots
27 which were in favour of the transfer of the Pilotage
28 Station to Les Escoumains. Valid reasons for the support
29 of the argument are difficult to pinpoint. We can't,
30



1 FRENCH

2 for example, -- well, I am free to think the special
3 pilots of the Saguenay Terminal might have taken, might
4 have had more advantage in keeping their line up from
5 Escoumains to Port Albert and vice versa, which is a
6 comparatively short distance and for which they would have
7 obtained a complete turn. I am not the only one who
8 thought that. There has been a group of pilots, which,
9 of course, wished for the abolishment of this group of
10 special pilots or line pilots. This group could never
11 have succeeded without having the support of another
12 group, let us say, for example, a neutral group, let us
13 say a central group, certain groups at centre and perhaps
14 older who normally should have been against such a pro-
15 cedure which would in the long run bring about dis-
16 appearance of the Citadel, and perhaps other advantages
17 which we had at that time which were proven afterwards.
18 These few pilots come to my own mind, and I always
19 express my own opinion, and I believe quite sincerely
20 and you must know 25 colleagues have read my brief.

21 Q. Could you give us the answer to this
22 question as soon as possible. It is one o'clock already
23 and I would like to have an answer to my question, is it
24 yes or no. There were lies and falsehoods in the Incorporatio
25 itself of the Corporation of the Lower St. Lawrence pilots?

26 A. I repeated beforehand that the incorporation
27 was stemming from the preceding events.

28 Q. If we could accelerate matters a little
29 bit, is not a fact that the falsehoods and lies to which you
30 refer were the events preceding the transfer from Father Point



1 French

2 to Les Escoumains and the abolition of the system of
3 special pilots?

4 A. That is one of the lies.

5 Q. And the incorporation stemmed from that so
6 it is following those lies that afterwards the incorporation
7 was brought forward? A. Yes.

8 Q. Insofar as the incorporation is concerned
9 you don't say that people were telling lies?

10 A. No, I didn't say that.

11 Q. Well, that concludes that sentence. You have
12 next in your letter. The two following sentences say:

13 "They would like, at this time, to be given a
14 "vote."

15 This is the same formula as before, that you
16 that you are referring to yourself?

17 A. I am referring to myself, that I mentioned.
18 I am talking about the right to express their opinion,
19 without restraint or retaliation and be told whenever they
20 ask a question there not welcome.

21 Q. Do you know these pilots?

22 A. Yes, I know them all.

23 Q. Could you name them?

24 A. I don't name them. I am sorry. I indicated
25 in my letter I didn't want to name any pilot or any
26 group of pilots.

27 Q. Don't you think by doing that you give me
28 to understand that perhaps nobody else believes it?

29 A. It is quite possible that no one will
30 support the brief or the idea expressed in the brief.

MR. LALONDE: Thank you.



1 FRENCH

2 THE CHAIRMAN: I am going to adjourn to this
3 afternoon at 2:30. Before adjourning I would like to
4 announce immediately that I am going to adjourn at
5 4:30 in the afternoon upon the request of many people,
6 in order to allow them to catch planes. Anyway I would
7 like to consider the resumption of this meeting. We
8 won't be able to finish here in Quebec this afternoon.
9 I don't think we have more than a week's work to do still.
10 As you know we are going to Chicoutimi next week and we
11 are also going to Fort Churchill. What I would like to
12 suggest would be for us to finish our Quebec hearings,
13 commence our Quebec hearings on the 9th and on the week
14 of the 16th of September we can work in Montreal, so we
15 can be there with our work in Quebec finished. Then we
16 would stop one week and then we would have still two more
17 weeks in Montreal. If we need a little more time we
18 would perhaps try to start a third week. We would like
19 to start in Toronto around October 28th after having
20 stopped our work for about two weeks previous to that.
21 That is our program. If any of you have any objections or
22 suggestions, please tell us.

23 MR. LALONDE: My colleagues are in agreement with
24 the suggestion.

25 THE CHAIRMAN: We will adjourn until this after-
26 noon at 2 o'clock and we are going to give you the exact
27 date before this afternoon.

28
29 --- Luncheon adjournment.
30



1 ---UPON COMMENCING AT 2:30 P.M.

2
3 MR. JACQUES: Mr. Koenig please?

4
5 CROSS-EXAMINATION BY MR. LALONDE: (Continued)

6
7 Q. Mr. Koenig let's go on with the intro-
8 ductory letter to your brief. At the fourth paragraph
9 you say:

10 "Should every Quebec pilot be interviewed in
11 "camera by the Commissioners, the result would
12 "probably be amazing, especially if such
13 "pilots be reasonably convinced that they
14 "can speak out confidentially, and without fear
15 "of reprisals of any kind."

16 Have you personally been the object of reprisals?

17 A. If it please the court, before I answer
18 Counsel Lalonde's questions, before I answer your question
19 on the subject of lies, if you remember, I would like to
20 make -- on the question of lies and falsehoods that brought
21 about the incorporation of the present administration,
22 I was perusing my notes during lunch hour. I could not
23 do so very well previous to that. I was a little pressed
24 and I found a couple of lies that may be of some interest.
25 Would you mind if I mentioned them?

26 Q. Not at all, by all means do so.

27 THE CHAIRMAN: Go ahead.

28 THE WITNESS: Now sir when the present
29 administration took over with the present president of
30 the corporation, when the present president of the corp-



1 English

2 oration took over at the time in 1960 --

3 Q. Is it not 1959?

4 A. I believe the election took place in
5 January 1960.

6 Q. Yes, but the president took over in 1960?

7 A. That is right. At the time of the election
8 that took place at the annual meeting.

9 Q. Was it the same president as the year
10 before?

11 A. No, the new one that took over at the
12 time he was elected in this previous one.

13 Q. Okay.

14 A. Now at that particular time the
15 corporation was not in power and the new president took
16 over. At that particular time took over as president of
17 the Association. Well now after the election of this
18 new president and his vice-president and the other
19 directors, between that time, from the time of the election
20 until the time of the transfer and of the abolition of
21 special pilotage, there was a campaign all through that
22 winter. All pilots were told, we were led to believe
23 that the bonus that would eventually be lost through
24 the abolition of special pilotage would most certainly
25 be incorporated in the tariff that would be established
26 when the corporation would be formed. This they were
27 not sure of, not at all.

28 This is why a lot of, or several pilots were
29 in support of the motion at the time. Now another false-
30 hood, which I think I can call a falsehood is the fact
that some people were told that they would be safer with



1 English

2 a corporation than they had been with an association. They
3 would be better protected from all comers, from any
4 onslaughts and this I think was a bit false because, as
5 you heard before in previous testimony, the association
6 could not be prosecuted under any circumstances as a body.

7 The association was not responsible for its
8 members as far as prosecution was concerned. I don't
9 think there is such a guarantee where the corporation is
10 concerned.

11 That is all I have to say, thank you.

12 Q. So this is what you call lies and
13 falsehoods bringing about the incorporation of the present
14 administration?

15 A. Yes. Several pilots have never dared to
16 adhere to this movement unless they believed that.

17 Q. Now what does the matter of incorporation
18 of bonus, for special pilots in the tariff of pilotage have
19 to do with the incorporation of the Corporation of Pilots
20 of the St. Lawrence?

21 A. Oh it has nothing to do with it.

22 (THROUGH THE INTERPRETER.)

23 Q. Your second point you mentioned, you will
24 agree with me that it is a matter of opinion, it's an
25 argument to know whether the corporation is more advantag-
26 eous than the association. Some people think it is,
27 some think it is less.

28 A. Concerning the question of prosecution,
29 I think one could know that, and this is what we are
30 concerned with at the present time.



1 English

2 MR. JACQUES: My lord, at this point, in view
3 of the questions put to the witness, I feel I should tell
4 the Commission that some years ago I acted on behalf of
5 one pilot against the Directors of the Association in a
6 case involving a slight amount of money. It may be
7 of interest to the Commission to be supplied with a copy
8 of the judgment of the court rendered here in Quebec
9 which based an opinion on the liability of the Directors
10 of the Association.

11 THE CHAIRMAN: I think it would be of interest
12 if a certified copy of the judgment was filed as an exhibit.

13 MR. JACQUES: Very well my lord.

14 MR. LALONDE: I have the judgment.

15 THE CHAIRMAN: You kept it because you won I
16 suppose?

17 MR. JACQUES: We lost.

18 (THROUGH THE INTERPRETER.)

19 Q. At the beginning of the hearing, I asked
20 you if you had been the object of reprisals in the past
21 by the Association or the Corporation?

22 A. No, I don't think so.

23 Q. So if you have not had any reprisals,
24 why do you think that the other persons you mention,
25 whom you say are at least 50, might fear reprisals?

26 A. I think this question gives its own
27 answer. We have talked about it quite a lot since this
28 morning, a lot of pilots have always hesitated to speak
29 openly in front of their colleagues.

30 For instance, I asked here that some pilots be



1 French

2 heard in camera during these hearings. It's a simple
3 suggestion. I am not insisting but one might ask oneself
4 why the Federation is so much against these in camera
5 meetings.

6 Q. Who said that the Federation was against
7 them?

8 THE CHAIRMAN: I think that I must inform
9 everybody concerned that it is not the Federation who
10 objects, but the Commission itself. This is the rule
11 of procedure that has been adopted at the beginning and
12 we did not see where we could, if we had the facts but
13 they were given to us in camera without giving a chance
14 to the other parties concerned to cross-examine because,
15 as you have seen it is perhaps tedious at our hearings
16 to hear a transcription of every lawyer and when the
17 witness gives facts, when the cross-examination is finished
18 we have a different idea of those facts so this is a
19 system which has been established for hundreds of years
20 and it's the only system which can give us some assurance
21 as to the exactness of facts that the witness in his
22 evidence has to be cross-examined on. Sometimes they
23 think they are absolutely true and they are not really
24 and we find out on cross-examination it appears that they
25 are only impressions or conclusions which can be drawn
26 from the facts which were not exact.

27 That is why this system has a greater chance
28 of bringing out the truth. A hundred per cent truth is
29 absolutely impossible with the limitation of human
30 nature and I think this system is still the best and this is



1 what is applied in all courts so that is why you see
2 in criminal court, if everything was done in camera,
3 with the other party not being able to hear, there would
4 be people who would be condemned. That is why we have
5 adopted this system.

6 I think we can congratulate ourselves on having
7 done so.

8 MR. LALONDE: Thank you my lord. I don't think
9 it is necessary to go on with these questions any further.

10 THE WITNESS: But Mr. Lalonde I should like to
11 say that I received a communication from the Federation,
12 or my colleagues received that to the effect that the
13 Federation had protested vigously against in camera
14 hearings.

15 Q. Against hearings in camera?

16 THE CHAIRMAN: Well we never got these protests
17 because it has always been our intention that hearings
18 would be public and that is what was said at the first
19 hearing on December 20th in Ottawa.

20 Q. Concerning this question, I have discussed
21 this with the legal adviser of the Federation and with
22 members of the Federation concerning the possibility of
23 having in camera hearings and we had open discussion on
24 that question and that was very straight forward.

25 THE CHAIRMAN: The only case when there might
26 be in camera hearings would be when there would be questions
27 of Government policy where the public interest is concerned.
28 In that case, perhaps, but before that everybody will be
29 informed of it and that does not mean there will be any;
30 by no means.



1 French

2 Q. I have here a document which has been
3 given to me by the witness and which is the President's
4 report of the Federation of St. Lawrence Pilots, Fifth
5 Congress
6 of St. Marguerite Quebec. It's the report given at the
7 beginning of this year, 1963, February or January and
8 part of this report states:

9 "We are categorically against, as parties,
10 "for this inquiry to be heard behind closed
11 "doors."

12 Now Mr. Koenig, the penultimate paragraph
13 says:

14 "The submission of this memorandum is the
15 "expression of those who feel they owe it
16 "to themselves to make an effort . . ."

17 et cetera, et cetera. You mentioned this morning that
18 this brief was your brief in that when we found the
19 expression "we" it was to be interpreted as "I". When
20 you use "those" here do you refer to several persons that
21 you represent or are you speaking in general terms without
22 referring to anyone in particular?

23 Q. I am referring to the pilots who through
24 the contents of this paragraph
25 would not dare to speak or if they do not dare to speak
26 they hope that someone will speak on their behalf.

27
28 Q. Are there many of those?

29 A. Certainly, quite a number.

30 Q. Have you interviewed them personally?



1 French

2 A. Yes, certainly.

3 Q. How many, to your knowledge?

4 A. As I described above, about two-thirds
5 of the members, two or more, to a certain extent, more
6 or less, some only possibly and the others a hundred
7 per cent.

8 Q. Why wouldn't they dare to speak?

9 A. For the same reason Mr. Lalonde that
10 when a show of hands is asked for, a lot of people look
11 behind them and they try to see who is raising their
12 hand and then they decide if they are going to raise their
13 own hand.

14 Q. If it's two-thirds, that makes them
15 a majority?

16 A. That makes them a majority if it occurs.

17 Q. Why doesn't it occur? You know them?

18 A. Well it's because this is something spec-
19 ial to the Quebec District.

20 Q. You mean it's a characteristic of this
21 District?

22 A. In certain circumstances, it occurred in
23 past years.

24 Q. Could you indicate who these two-thirds
25 are?

26 A. Yes, I could do it but you know perfectly
27 well I won't do so.

28 THE CHAIRMAN: Mr. Koenig I don't think we
29 will let you name them because this will lead us to a very
30 long questioning. We would have to know the circumstances



1 French

2 for each case because some cases it is a hundred per
3 cent and others only partly. We would have to have these
4 people come here and testify. Those do not have the
5 courage to come and express their opinion in front of
6 the court, well I don't think we should take their attitude
7 into account or their ideas because they haven't expressed
8 them so we cannot take into account the ideas of those
9 who have not been here.

10 This is an unfortunate situation but we can
11 only congratulate Mr. Koenig for having the courage to
12 express his own opinion. We are in a democracy and
13 everybody is entitled to his opinion. Nobody has a
14 monopoly on truth and in particular there are several
15 means to reach an end and it is a common thing that the
16 means be discussed to see if the reasons in favour of
17 such attitude are reasonable or if some are stronger or
18 not as strong, and then after discussion one can decide
19 what line of action be taken so our position in the
20 democracy is something that must exist and nobody should
21 be afraid or ashamed to be in the opposition.

22 MR. LALONDE: If I have understood correctly
23 my lord, if one applies this rule, as long as the
24 opposition does not show itself, even if it is a majority,
25 its evidence is not worth more than those who gave the
26 evidence.

27 THE CHAIRMAN: It is not proven. You cannot
28 take it into account.

29 Q. Now let us take your brief. You say in
30 paragraph 4, page 1 that the setting up of this Royal



1 French

2 Commission will provide these men with the opportunity
3 of being given a voice. I don't want to play on words
4 here but it is not true that this Commission gives an
5 opportunity to all the pilots to speak on this matter?
6 Everybody has the opportunity of doing it but only a
7 few brave men like yourself avail yourself of this
8 opportunity.

9 A. This may be, that the Commission could
10 question a brief but perhaps if they came here, that is
11 probably what you mean.

12 Q. Now let's go back to the bottom of page 2.
13 You are talking about the CITADEL. If I recall correctly this
14 boat was an old one towards 1959/60?

15 A. It wasn't that old considering ships not
16 going on the high seas. It had had a hard life. It had
17 been repaired a few times. Hadn't cost too much. The
18 cost of repair was \$5,000.00 and it was operating quite
19 well.

20 Q. The pilots were able to live aboard this
21 ship? They could sleep on the ship?

22 A. They couldn't live aboard but it was used,
23 from time to time, for two or three hours for just a few
24 minutes sometimes and it was worthwhile in avoiding a
25 great number of additional expenses.

26 Q. Is it not true that several pilots could
27 spend the night on board and travel during the night?

28 A. The pilots who abused were the exception.

29 Q. Is it not true that you had sometimes
30 ten pilots on board the CITADEL?



1 French

2 A. That is right.

3 Q. And that they were going to be assigned
4 to certain ships during the night and they stayed on board
5 the CITADEL? Have you been informed of accidents which
6 took place in Saint John and in Halifax when pilot ships
7 having several pilots on board suffered an accident and
8 several pilots were drowned?

9 A. Yes, there was a case in Halifax during
10 the war. This is quite normal because of the unusual
11 circumstances. The case in Saint John was something
12 rather serious. There were not many pilots aboard and
13 nobody was hurt bad. It was probably due to some neglig-
14 ence or some mechanical difficulty. Must have been some
15 negligence either on the part of the ship itself or the
16 ship who collided with it.

17 Q. Page 2, you say, in the middle of the
18 first paragraph,

19 "Two principal factors are entered in evidence,
20 "the one being especially with the traditional
21 "respect of the authority -- the authority with
22 "a capital A -- would seem to have reduced the
23 "intensity, and the other with age and exper-
24 "ience appeared to account for less and less."



1 French

3 To what authority are you referring here?

4 Are you referring to authority in general?

5 A. Yes, I am talking about authority in
6 general. Authority in Ottawa. Or in Quebec and finally
7 the authority on the pilots themselves over the
8 apprentice.

9 Q. On the apprentices?

10 A. Yes.

11 Q. And I suppose also the authority of the
12 Board of Directors?

13 A. Yes, amongst others.

14 Q. Now you became a pilot in 1951 I think?

15 A. Yes, 1951.

16 Q. And you say that after the war this
17 phenomenon started to appear gradually?

18 A. As in all classes of society, not only
19 in pilotage.

20 Q. How could you compare the previous
21 situation since you were not here before 1951?

22 A. I was here since 1945 to carry out my
23 apprenticeship and I was aware of what was going on before
24 that.

25 Q. From what you heard? I am talking before
26 the war.

27 A. I travelled here practically every month.

28 Q. But you would be neither a pilot nor an
29 apprentice?

30 A. What was going on, I was particularly



1 French

2 interested in the question.

3 Q. The next sentence you say:

4 "The unfortunate duplicity of a few middle-aged
5 "pilots" and that is, according to you, between
6 35 and 55 years of age. I have also looked up the word
7 "duplicity" and that is defined in the following way:

8 Hypocrisy and bad faith. Is that what you mean?

9 A. Well it's quite close to that. Not
10 exactly, but quite close.

11 Q. Would you have preferred using another
12 term after having heard this definition?

13 A. I would say rather that somebody is in
14 agreement with somebody who is not showing that he is.

15 Q. That is being a hypocrite?

16 A. Yes, more or less.

17 Q. And this middle-aged group, was it a
18 great number?

19 A. I think I have said only about 30.

20 Q. 30 to 55?

21 A. 30 pilots.

22 Q. You said 35 years to 55 years in this
23 group, was it a homogeneous group having set up a conspiracy
24 which by using duplicity they tried to reach objectives
25 which are in particular the abolition of line pilots
26 and the transfer of the station to the north shore?

27 A. In particular the abolition of line
28 pilots at any price.

29 Q. If I understand correctly, as you say,
30 these people seemed to be in favour of the abolition of the



1 French

2 line pilots?

3 A. Well some were, some of them were not.

4 Q. On what do you base yourself to make
5 such a statement?

6 A. On the evidence of one pilot who is now
7 retired and I have replaced this pilot on this line which
8 was a New Zealand Shipping Company and this pilot told
9 me later on I am very happy to find out it is you who
10 is replacing me, and then he told me that somebody had
11 approached him and asked him to recommend which had
12 surprised me a great deal because the person in question
13 was against the line pilot.

14 Q. So this is hearsay by hearsay?

15 A. It is not quite hearsay. I am sure this
16 pilot, if things get to that, that he will be able to
17 come and support my statement.

18 Q. Now is that the only case that you have
19 to justify this statement?

20 A. Yes, I think it is enough to give you an
21 idea of what could go on.

22 Q. So this case you said that there was
23 duplicity and hypocrisy on the part of a group of middle-
24 aged pilots?

25 A. I think that is enough.

26 Q. In your next paragraph you say

27 "special pilotage, then still in existence,

28 "was the greatest source of friction. Most

29 "young pilots, along with a few older ones,

30 "possibly lacking somewhat in competency . . ."



1 French

2 I don't want to pick bones with you, but this is a state-
3 ment that is rather cautious "some pilots who lack perhaps
4 some competency". Do they or do they not
5 lack competency?

6 A. Oh I think it is quite well known from
7 all my colleagues. I am not going to give any names,
AA3 8 but some of them who did not have this competency really
9 are well known.

10 Q. So now you are sure of that?

11 A. Yes. There are always some people who
12 are competent in whatever group or whatever class that
13 you may look for.

14 Q. Do you consider yourself as a competent
15 pilot?

16 A. Let us say I know my business and that
17 I am always willing to learn from someone who is older
18 and has more experience than myself.

/RPS 19 Q. You wouldn't learn anything from someone
20 younger?

21 A. Unless he could prove that he really is
22 quite advanced.

23 Q. Here we are talking about experienced
24 and professional competence.

25 A. There is experience which pertains to
26 conversations you have with colleagues who are piloting
27 ships here and there, that is what I mean.

28 Q. The older pilots that you mention, do
29 you think they are more or less competent than yourself?

30 A. To a certain extent, yes.



1 French

2 It depends on what angle you ask the question, in one
3 way yes, in one way no.

4 Q. Do you consider they are more competent
5 than yourself?

6 A. As far as experience is concerned, yes.
7 You don't use this experience as they should use it.
8 Naturally 20 years experience is 20 more years experience.

9 Q. Perhaps I didn't express myself as I
10 should have. I refer to a sentence in your brief

11 "A few of the older ones possibly lacking
12 "somewhat in competency". Those pilots you
13 are referring to, you must have someone in mind?

14 A. Certainly.

15 Q. Do you consider they have more competence
16 or less competence than you have?

17 A. I think it would be preferable for me
18 not to answer such a question.

19 Q. Well, naturally you wrote that sentence
20 in your brief. I didn't write it myself that certain
21 older pilots who perhaps were lacking in competency in view
22 of the fact they weren't . . .

23 A. Let me say there that fact, due to the fact
24 these pilots weren't special pilots, weren't line pilots --
25 in certain cases it was perhaps due to the fact that they
26 were lacking competency and their record didn't perhaps
27 justify recommendation, or perhaps naturally they were
28 unlucky and they didn't have any friends or any vacancy
29 in some lines, for example, while they were available.

30 Q. So, so that perhaps was due to the fact,



1 French

2 not of competency, but is it not true that in all cases,
3 as a rule, it was naturally due to the fact, as you mentioned
4 there was perhaps no vacancies or they didn't have, as
5 you call it, a friend to recommend them?

6 A. In some cases this is what happened because
7 competency, as you say, can't be generalized. It applies
8 to a small group as you very well know.

9 Q. Consequently the special pilots weren't
10 necessarily more competent than the ordinary pilots?

11 A. I think the answer to that question is to
12 say that the recommendation having been made by the
13 senior pilot of the company who has been working for that
14 company for 20 to 35 years was certainly not going to
15 recommend someone whom he would be blamed later on for
16 as being an incompetent pilot.

17 Q. There wouldn't be any trouble if that
18 was true?

19 A. That wasn't always the case.

20 Q. Was there a study of the pilot's records
21 before he was appointed as a special pilot?

22 A. I don't think so, a simple recommendation
23 letter on the part of the senior pilot usually was
24 enough. I don't say they should be doing anything
25 additional because the company who had that pilot had
26 trusted him trusted his opinion of competency and so
27 forth.

28 Q. To your own mind there was no study of
29 the records of the pilot?

30 A. No.



1 French

2 Q. But then you mention there was favouritism
3 and partiality to the selection of pilots?

4 A. Yes, there was that. This happens every-
5 where, anyway.

6 Q. Now, in the case of appointment of special
7 pilots, you say there wasn't a study of the record of the
8 pilot who was recommended by the senior pilot to the
9 company. To your mind do you think there was a study
10 of the record by the company?

11 A. Well, it is quite possible. What happened,
12 for example, in my case I was transferred from the
13 New Zealand ship to MacLean Kennedy and I was aware that
14 certain phone calls had been exchanged between the
15 directors of both companies to ask the authorization of
16 one in order to hire by the other one.

17 Q. Were you not also special pilot for the
18 Saguenay Terminal?

19 A. Yes.

20 Q. You left that company at one time?

21 A. Well, I was sort of laid off.

22 Q. Why was that? Was your record studied
23 subsequently or what?

24 A. Well, I don't think so, because I worked
25 for five years for the same company, and the reason given
26 that there was a delay for a certain ship during a
27 weekend and a little time was taken for docking of the
28 ship. The reasons weren't sufficient, but at any rate
29 the ship had reached Montreal Saturday night just the
30 same, and had arrived at Montreal, and I learned later on



1 French

2 that a telegram had been sent by one of my colleagues
3 working for the same company to one other colleagues say-
4 ing that I would be laid off and that he should make a
5 request and he would be hired immediately. Once more
6 this proves what can happen anywhere.

7 Q. This is all through hearsay.

8 A. This is not through hearsay because I
9 also saw a copy of that telegram at that time.

10 Q. Was this telegram addressed to another
11 pilot coming from another pilot stating you were to be fired
12 from service, perhaps this was a decision made by the
13 company?

14 A. That is quite possible. I think the
15 contrary would be true.

16 Q. Now, let us get back to this big question
17 of transfer to the North Shore. This question has been
18 discussed for a good many years?

19 A. Yes, insofar as we heard this morning, yes.

20 Q. According to your mind when was the first
21 talk mentioned of the transfer to the North Shore?

22 A. I think it started about four or five
23 years before it took place.

24 Q. So that was 1955?

25 A. Yes, approximately.

26 Q. In your brief you state at the end of
27 page 3 that the Department of Transport was always
28 extremely non-committal and nothing definite could be
29 ascertained although a restricted number of pilots
30 appeared to be in possession of a certain amount of



1 information which were denied to the others. Do you
2 think that the Department of Transport refused to show
3 certain documents to you?

4 A. No, not to me personally.

5 Q. Did you ever ask for any of those
6 documents about which your colleagues gave the impression
7 that they had these documents in their hands?

8 A. I didn't ask for such documents because
9 it wasn't up to me. It was up to the Board at that
10 time and the Board at that time -- I don't know whether
11 or not they asked for the documents or not. They were
12 aware of the rumours that were going on and acted in the
13 same fashion as the majority of the pilots who didn't
14 believe what they heard at the outset, and then did
15 later on.

16 Q. So you are not aware whether the Board
17 at that time tried to obtain these documents?

18 A. No, I am not aware of that.

19 Q. Do you know of any other pilot to whom
20 these documents have been refused?

21 A. No.

22 Q. Why do you state that the Department
23 of Transport was forever non-committal and nothing definite
24 could be ascertained although a restricted number of
25 pilots appeared to be in possession of a certain amount
26 of information which was denied others?

27 A. Certainly -- is it not in order to ask
28 one how come everybody wasn't aware of everything that
29 was going on?

30 Q. Certain colleagues were denied these



1 French

2 documents?

3 A. In order for these documents to be denied
4 they have to ask for them in the first place.

5 Q. Explain what you mean. It would be very
6 interesting.

7 A. I think if something of that scope was
8 going on it would have been in order for all pilots to be
9 informed about it in order to obtain information. Their
10 opinions were asked at the last moment when the decisions
11 were probably already made. I have, for example, a letter
12 of the Deputy Minister of Transport at the time who asks
13 for my opinion and who asks the opinion of all the pilots.
14 Perhaps it would be interesting to read this separately if
15 we have time. I was answering that we were taking into
16 account all the objections that I was submitting which are
17 about the same I voiced in the brief.

18 THE CHAIRMAN: The Department of Transport, I
19 must say here, like the last time it was mentioned when
20 Mr. Langlois mentioned the Department of Transport could
21 talk only with the Pilots' Committee. When we got into
22 Halifax the Department talked to the Pilots' Committee,
23 and of course the Department is blamed for that at the
24 same time.

25 MR. LANGLOIS: My lord, I haven't changed my
26 mind since Halifax when I expressed the opinion that the
27 Department according to the by-laws had to contact only
28 the local Pilots' Committee.

29 THE CHAIRMAN: It is the normal channel
30 of communication.



1 French

2 MR. JACQUES: May it please the Commission, I
3 followed the English context of the brief and I see that
4 it is not translated as it should be. There are many
5 differences in the French context and the English context.
6 That is why I wanted to draw the attention of the Commission
7 on that point concerning the last question I quote the
8 French context:

9 "Le Department du Transport prie bien garde de
10 "ne jamais se compromette, et on n'apprit
11 "jamais rien, bien qu'un nombre restreint de
12 "Pilotes donnaient alors l'impression d'avoir
13 "en en leur possession informations et documents
14 "qui etaient refusés à leurs confreres."

15 In English it reads as follows:

16 "The Department of Transport was forever non-
17 "committal and nothing definite could be ascertain-
18 "ed, although a restricted number of pilots
19 "appeared to be in possession of a certain
20 "amount of information which was denied the
21 "others."

22 THE CHAIRMAN: Even in French there is a double
23 interpretation. It doesn't mean necessarily that these
24 documents have been denied, but gives another impression.
25 The pilot stated that the documents have been denied or
26 you could say (END OF INTERPRETATION.)

27 MR. LALONDE: Once more about the statement,
28 this is only an impression you are under?

29 A. Well, I was under the impression in the
30 following way because all the pilots were talking about



1 French

2 that ultimately. They all must have been aware of some-
3 thing. They certainly didn't invent the whole thing.

4 Q. You say that the pilots always spoke
5 whenever they could basing themselves upon information
BB2 6 that they had received in advance?

7 A. Yes. This happened frequently.

8 Q. Now, you state on page 4
9 "more experienced men who should have known
10 "better seemed for reasons best known to them-
11 "selves to concur with the Department in that
12 "line of thought". Can you please explain
13 what type of suspicions you had?

14 A. I think it is quite easy because people
15 I am talking about belong to the centre group, that is
16 the indifferent group, the side who sit on the fence and
17 wait for the wind to turn either one side or the other.
18 In the present case there was already mention when they
19 asked about the abolition of special pilots that certain
20 pilot classes would be set up and special pilots were
21 working for lines were threatened -- simply because they
22 had reached a certain age and would belong to Class A
23 pilots, in order not to antagonize anyone they didn't
24 say anything.

25 Q. Now, at the beginning of the next
26 paragraph you speak about an agreement in 1959, 1960 between
27 the dissatisfied pilots on the one hand and the Department
28 of Transport on the other which was more or less
29 secretly achieved. These dissatisfied pilots, were they
30 numerous?



1 French

2 A. Well, the dissatisfied pilots were
3 assuredly all those who didn't belong to the lines at
4 the time, who had nothing to lose, and also those who
5 were denied the advantage of belonging to one line for
6 either one reason or another, those who didn't like line
7 pilots and didn't agree or work harmoniously with their
8 colleagues in this. I think that is of a good group
9 of dissatisfied pilots.

10 Q. How many pilots were there in the lines
11 approximately at that time?

12 A. Well, I must say in 1959 the ratio was
13 well balanced. Out of 77 pilots in 1959 there were 37
14 or 38. In 1953 . . .

15 Q. 1953, we don't need that. 37, 38 were
16 special pilots in the lines. Were there not certain
17 line pilots who were dissatisfied as well and who belonged
18 to the group which you mentioned beforehand, to your
19 group of dissatisfied pilots?

20 A. Yes.

21 Q. When was that?

A. There were certainly some.

THE CHAIRMAN: Perhaps they had bad lines.

MR. LALONDE: In 1959 I am informed there were
75 pilots, is that possible?

A. It is possible, 75, 76, 77.

Q. If the dissatisfied pilots which are all those
who were not special pilots or line pilots plus all
those middle-aged pilots in the middle group, doesn't
that give you a majority?



1 A. Yes, that is the majority. That is what
2 is most unfortunate. I forgot to say that those who
3 already belong to the line thought they would keep their
4 positions as line pilots.

5 Q. Unfortunately this was the majority
6 against the minority?

7 A. Unfortunately, yes.

8 Q. Now, to get back to the first question
9 I asked you this morning, do you think one of the basic
10 rules of democracy is that the majority prevails?

11 A. Unfortunately even though they are not
12 always right.

13 Q. That is an entirely different matter.
14 Now, still having to do with this transfer do you remember,
15 do you recall a letter addressed to the Minister of
16 Transport on February 12th, 1958. Perhaps you have a
17 copy there? It was signed by 26 pilots including yourself
18 opposing the establishment of a pilotage station on the
19 North Shore at Cape bon Desire.

20 A. Yes.

21 Q. I show you this document and would you
22 please tell me if you remember signing such a letter.
23 Of course I have the photocopy of such a letter and
24 perhaps the original is in the records of the Department
25 of Transport.

26 A. Yes, I signed it.

27 MR. LALONDE: My lord, I file this document as
28 Exhibit 598 pending the Department giving us the
29 original. It is dated February 12th, 1958 and it is
30 addressed to the Honourable Minister of Transport in



1 French

2 Ottawa. The main part of that letter was a statement to
3 the effect that you were opposed to this transfer to the
4 North Shore.

5 A. Yes. I didn't read again that letter.
6 I don't remember all its contents.

7 THE CHAIRMAN: Show the letter to the witness.

8 THE WITNESS: Yes.

9
10 ---EXHIBIT NO. 598: Letter dated February 12th,
11 1958 to the Honourable Min-
12 ister of Transport.

13 MR. LALONDE: So you find in that document a list
14 of arguments against the establishment of the Pilotage
15 Station on the North Shore?

16 A. Yes.

17 Q. Do you recall having sent a letter to the
18 Secretary of the Pilotage Association, Quebec Pilots'
19 Association on March 16th, 1958 and it reads as follows:

20 "Cher monsieur:

21 "Je vous prie instamment de faire
22 "lecture des présentes au cours de la prochaine
23 "assemblée de messieurs les directeurs
24 "de l'Association.

25 "Attendu que de nouveaux faits ont
26 "été portés à ma connaissance au sujet du
27 "projet gouvernemental au Cap Bon Désir," --
28
29
30



1 French

2 It is signed by Mr. Koenig. Do you remember signing that
3 letter? Would you please identify it? The signature is
4 yours?

5 A. Yes.

6 THE CHAIRMAN: You are going to file it. It
7 is filed as Exhibit 599.

8
9 ---EXHIBIT NO. 599:

Letter from Pilot Koenig
to the Secretary of the
Pilots' Association.

10
11
12 MR. LALONDE: So that letter which was sent one
13 month after having signed the previous petition stated
14 that the sole objection you had to the establishment of
15 the Pilotage Station on the North Shore at Cape bon Desire
16 was bad communications, bad means of communication and
17 you were now satisfied that the means of communication
18 were satisfactory on the North Shore. Is that not the
19 fact?

20 A. Yes.

21 Q. Yes, and that you state having been the
22 victim of false representations?

23 A. Well, at that time, yes.

24 Q. In 1958 you were also a victim of
25 false representation?

26 A. Well, I would like you to ask me again about
27 the false representations.

28 Q. You are talking yourself about false
29 representations in your letter. You stated, "qu'il n'est
30 pas du tout humiliant de changer d'opinion quand ce change-



1 ment est motivé par des faits nouveaux, lesquels l'empor-
2 tent sur les fausses représentations, même si elles par-
3 aissaient d'abord justifiées et de bonne foi."

4 Once more you are talking about a statement of false
5 representations without indicating exactly what the false
6 representations are.

7 A. I think it would be preferable for me
8 to tell you about it before you go on with your cross-
9 examination on that line. At the time during the winter,
10 the winter between 1958 and 1959.

11 Q. Here we are in March 16th, 1958.

12 A. So it was the winter of 1957, 1958,
13 at that time I was Director of the Marine School in
14 Montreal. I received an invitation by letter to sign
15 that petition and I was being told simply that it was for
16 the South Shore and they were opposing the establishment
17 of the Pilotage Station on the North Shore. His letter
18 was slightly vague. Well, I phoned in the same evening
19 authorizing my signature on that document. I asked for
20 details. There was mention I think of St. Simon. I tried
21 to get all possible information. I took a whole month
22 to get that information. It is only following that that
23 I authorized them to put my signature because I don't
24 believe for one good reason - there are many others - this
25 project of building the Pilotage Station in St. Simon
26 seemed to have been better.

27 Q. I am sorry to interrupt you Captain, but
28 the letter of February 12th, 1958 and the letter of
29 March 16th, 1958 speak only of Cape bon Desire. The
30 request of February 12th, 1958 is on the possibility of



1 French

2 this establishment of this Pilotage Station at Cape
3 bon Desire and the letter of March 16th, 1958, it takes
4 away your decision on the Pilotage Station on the North
5 Shore at Cape bon Desire. Naturally, I hope that your
6 explanation will have to do with these two documents and
7 not tell me something else.

8 A. Naturally, but there is mention of the
9 establishment at Cape bon Desire -- they were trying to
10 choose between Cape bon Desire and elsewhere. I had
11 signed for St. Simon and I was under the impression that
12 this document was selecting St. Simon and it wasn't
13 chosen.

14 Q. What document are you talking about,
15 the document that is Exhibit 598?

/RPS 16 A. The first part you have there.

17 Q. The document, Exhibit 598, where it is
18 stated that there is a categorical opposition to the
19 establishment of a Pilotage Station at Cape bon Desire?

20 A. This first document where I oppose the
21 Pilotage Station at Cape bon Desire. At that moment
22 I had chosen St. Simon. I was under the impression that
23 the document shows St. Simon. I was always known as
24 someone in favour of St. Simon.

25 Q. Have you discovered that those who
26 signed this document, as well as you, were not in favour
27 of St. Simon but rather **Trois Pistoles** and then you
28 have withdrawn your opposition to Cape bon Desire in
29 your letter of March 16th stating that you have had a
30 change of opinion due to the fact that your colleagues



PS 1 French

2 were not in favour of St. Simon but rather Trois Pistoles
3 because the means of communication had become
4 satisfactory on the North Shore?

5 A. At that time I gave that reason, I had
6 excellent reasons to do so.

7 Q. Excellent reasons but your letter indic-
8 ates that you no longer objected to the establishment
9 of a Pilotage Station at Cape bon Desire. In the last
10 analysis you were rather approving the establishment of
11 a Pilotage Station on the North Shore because there was
12 no possible way of doing anything about it.

13 THE CHAIRMAN: I am going to stop for a few
14 moments. As we are going to adjourn at 4:30, we are
15 going to have a very short recess.

16
17 ---SHORT RECESS.

18
19 ---FOLLOWING SHORT RECESS:
20

21 Q. Now Mr. Koenig the letter that you sent
22 on March 16th, even if the reason does not appear on the
23 surface of it, the fundamental reason is that the majority
24 of your colleagues were for Trois Pistoles
25 and you were for St. Simon. You have always been against
26 Trois Pistoles

27 A. Not necessarily. At the beginning we
28 had not considered the place very well.

29 Q. Did you sign something in favour of
30 Trois Pistoles before this letter of March 15th, 1958,



1 French

2 Exhibit 598 at which time you withdraw your objection to
3 Cape bon Desire?

4 A. No, I think it would be later.

5 Q. Would it be much later?

6 A. Oh I would say 1958, maybe the next year.

7 Q. But not in 1960?

8 A. It is possible.

9 Q. I am showing you Exhibit 595, the petition
10 that you signed. Is that one filed as Exhibit 595?

11 A. Yes, it is.

12 Q. Is it not true that this petition has
13 been signed before the Deputy Minister of Transport
14 consulted each pilot personally?

15 A. I cannot specify.

16 Q. You don't remember?

17 A. No.

18 Q. Do you recall that the question of the
19 transfer of the station on the North Shore was discussed
20 at the general assembly in 1960?

21 A. That is possible. I cannot specify.

22 I don't remember.

23 Q. I am showing you a certified copy of the
24 minutes of the general assembly of the Pilots' Association
25 for Quebec and downstream January 13th 1960; Pilotage
26 Station,

27 "On discussing the ice conditions at the

28 "north and south and the project of moving

29 "the Pilotage Station to Father Point, Mr.

30 "L.A. Larue moved, seconded by Mr. Edward Koenig --



1 French

2

3

4

5

6 Is that you?

7 A. No, that is not me. That is one of my
8 uncles.

9 Q. To take a secret ballot on the question
10 of Pilotage Station in order to have the opinion of the
11 members adopted unanimously. It was decided to take this
12 vote at your election. Then you have a report of the vote,
13 that 34 members have voted. The chairman says that 34
14 members for the north 28 for the south and one for
15 Father Point. This is a certified copy of July 26th
16 1963. Do you remember being present at this meeting?

17 A. No, I don't.

18 Q. May I file this as an exhibit?

19

20 ---EXHIBIT NO. 600: Extract of the minutes of the
21 Association of Licensed Pilots
22 for Quebec and Downstream
23 held in January, 1960.

24

25 Q. This extract says that a majority of
26 pilots at that meeting were in favour of the transfer to
27 the North Shore?

28 A. Yes. There was a great deal of fluctuation.

29 Q. I also want to call your attention to
30 the fact that this decision has been taken by secret ballot?

31 A. That is quite possible.



1 French

2 Q. For the record I think there were 77
3 pilots in the District at that time as licensed pilots.
4 Now in your brief on page 4

5 "According to the appearance a deal was
6 "concluded which has been bad for the majority
7 "of Quebec pilots."

8 This is a matter of opinion?

9 A. Well I didn't say all. Half and half
10 as I said before.

11 Q. What are you talking about?

12 A. The number of -- the whole pilots,
13 line pilots.

14 Q. But you say here that according to --
15 are you talking about what I just read?

16 A. I think you said this had been bad for
17 the majority of the pilots who were line pilots.

18 Q. No, I am reading your text and it says
19 according to appearance a deal was concluded which has
20 been bad for the majority of Quebec pilots and particularly
21 line pilots but this is an opinion which you are giving.
22 You have no proof about this deal being bad?

23 A. Well the proof was given when the CITADEL
24 was withdrawn and some privileges were removed.

25 Q. What were these privileges that were
26 withdrawn?

27 A. The CITADEL in the first place and this
28 should not be underestimated, and then the loss of the
29 .50¢ contribution for meals. This is maybe a small amount
30 but this is a question of principle. The loss of sleeping



1 French

2 quarters in Quebec which is a result of all these events.

3 Isn't that enough for the time being?

4 Q. Are these the other privileges to which
5 you refer?

6 A. Yes.

7 Q. At the bottom of page 4 you say

8 "And so it came to pass that in the Spring of the

9 "year 1960, exactly one century after the

10 "setting up of the first Corporation of

11 "Quebec Pilots to the great distress of most pilots

12 "and to the great satisfaction of the few

13 "who had so plotted the destruction of the old

14 "system, the Port of Escoumains on the North

15 "Shore became the new Pilot Station."

16 On what do you base yourself to say that "the great distress
17 of most pilots?"

18 A. Because as I said before a great number
19 of pilots were special pilots and these special pilots
20 have all lost their bonus, which was quite an appreciable
21 amount. Most of the appointed were those who thought
22 they would be able to keep their line in spite of it,
23 they lost it even though they had agreements of that
24 nature.

25 Q. Now the fact that the majority at the
26 general assembly were in favour of the transfer from
27 Father Point to Escoumains, is that not proof that this
28 was supported by the majority?

29 A. I am not ready to say that.

30 Q. Even if this had been done by secret ballot?



1 French

2 A. Well secret ballot, once in that partic-
3 ular case.

4 Q. That is not enough?

5 A. No, it is not enough.

6 Q. At the end of the page it says:

7 "They protest -- they speak of the transferring
8 " -- everywhere, pilots, Federation of Shipowners,
9 "ship captains . . ."

10
11
12
13
14
15 Do you have a copy of the protests of the Shipping
16 Federation?

17 A. No, I don't have a copy of that but
18 I know that they must have protested either through
19 conversation or after discussion with their various
20 captains, masters, but I have no document to prove it.

21 Q. But you know that they have protested,
22 to whom? To the Department at Ottawa?

23 A. I know some companies have tried to keep
24 their pilots but they were told it was too late.

25 Q. What are you talking about? Special
26 pilots? This relates to the transfer from Father
27 Point to the North Shore at Les Escoumains. It says
28 vigorous protests. We are not concerned with special
29 pilots. This is concerned with the transfer of the
30 station. I am asking you on what do you base this state-



1 ment that the Shipping Federation protested against this
2 transfer?

3 A. Because at that time I piloted several
4 ships. I never had anything but comments from various
5 ships who had discussed this matter with their agents.
6 And this is enough as far as I am concerned. I trust
7 these people.

8 Q. Now the agent is not the Shipping Feder-
9 ation?

10 A. He belongs to it.

11 Q. You too belong to a corporation, an
12 association here and your opinion is not necessarily
13 that of the corporation?

14 A. I am a member of their corporation against
15 my will.

16 Q. You belong to the Association?

17 A. Yes, as most pilots do.

18 Q. All pilots?

19 A. No, I said most pilots, not all.

20 Q. Is it not true that all pilots are
21 members?

22 A. No.

23 Q. Who are those who are not members of the
24 Association?

25 A. Those who have received their licence
26 since 1960.

27 Q. On what do you base yourself to make
28 this statement?

29 A. Because I doubt it very much pilots who
30 have been accepted since 1960 have joined the Association.



1 French

2 Q. You doubt it? Are you sure of it?

3 A. I cannot prove it but I would be very
4 surprised if you showed me a signature.

5 Q. So this is an assumption. You supposed
6 that there are not members of the Association.

7 A. I am ready to put my hand in the fire.

8 Q. Have you been at meetings of the Assoc-
9 iation in 1961, 1962? Well let us say after 1960 have
10 you been at meetings of the Corporation and the Association?

11 A. Yes.

12 Q. Is it not true that you have seen pilots
13 who have joined the Corporation after 1960 and who have
14 been admitted after 1960 and who have participated at
15 the meeting of the Association?

16 A. That is quite possible.

17 Q. Is that not an assumption that they are
18 not members of the Association?

19 A. No. They have to sign in the first
20 place. You cannot become a member unless you sign
21 something.

22 Q. But you cannot have anything to base
23 yourself except the doubt in your mind?

24 A. Please show me a signature and I will
25 believe you.

26 Q. You never thought about asking for one?

27 A. No, not even thinking of it.

28 Q. And you never thought of going to the
29 office of the Corporation to know if these people were
30 members of the Association?

A. No.



French

Q. That is enough?

A. Yes.

Q. Good. Now if we can go on to page 6, you are referring to a signed document, an agreement, the 55 year old understanding. I don't know what is concerned. You don't mention what it concerns in your brief. Have you seen this old understanding?

A. No.

Q. If it is a document, it should exist?

A. I suppose so.

Q. Have you ever seen it?

A. No, I haven't seen it.

Q. Do you know where it is?

A. Well I haven't seen it but I have seen extracts of it somewhere which I might be able to find this fall if I am still alive. I have them at home.

Q. You have extracts of an understanding between the pilots and the Department. What is the object of this understanding?

A. I think it has been clearly explained this morning. I am going to repeat it. There was a time in 1905 when the pilot station was at Bic. There even was a law forbidding a Captain to take his pilot outside of Bic.

Q. But if you never saw that document -- ?

A. You wanted to know what this understanding was. I am trying to tell you what it is.

Q. But if you have never seen it, you have only referred to extracts which you have in your



1 possession --

2 A. This understanding has been repeated to
3 us by old pilots and since we have heard it so many
4 times, we know it by heart.

5 Q. This question of guarantee of so many
6 dollars upon retirement.

7 A. The complete payment of board, room and
8 meals throughout the time the pilot is outside his
9 domicile.

10 Q. Did you have that at Father Point?

11 A. Meals, no.

12 Q. It had decreased?

13 A. The Department said the cost of living
14 had increased so you had to decrease it.

15 Q. Also to withdraw this contribution to
16 the pension?

17 A. Yes.

18 Q. At the bottom of page 7 you say that
19 the sleeping quarters have been removed and closed down
20 without any notice, in the middle of the night, as far
21 as you know with the consent of the officers of Quebec
22 and Montreal. On what do you base yourself that there
23 is agreement of the Board of Directors?

24 A. Well Mr. Lalonde this is what I base
25 myself upon: I was present at the pilotage office
26 in Quebec and I was a witness to this very strong
27 discussion between Quebec and Three Rivers pilotage
28 members.

29 Q. Members of that District?

30 A. Yes.



1 French

2 Q. Good.

3 A. And these members were discussing this
4 sleeping accommodation and one said to the other, there
5 was three of them, that it was the Montreal Committee
6 who had approved that in the first place and that after
7 that the Quebec Committee had given its consent.

8 Q. Who was it? An administrator of the
9 Montreal District?

10 A. I cannot specify.

11 Q. You don't know?

12 A. No.

13 Q. Did you try to check at the office of
14 your Corporation after the Quebec bureau had given its
15 consent?

16 A. I have informed myself of what had
17 happened to prevent that from happening.

18 Q. And was it not said that the pilot
19 Corporation had made a protest to the Department to that
20 effect?

21 A. I was told that but I thought it was a
22 bit late.

23 Q. Did you check to see if it was possible,
24 since, according to your own statement this closing was
25 done without any notice in the middle of the night?
26 How can you justify such a thing being done in the middle
27 of the night without informing anyone about it?

28 A. One could ask how the Department could
29 do such a thing without discussing that with the two
30 respective Committees.



French

1 Q. So now you are asking yourself a question?

2 A. Well I can ask myself a question if I
3 want to..

4 Q. But you have nothing to base yourself
5 upon?

6 A. Well the fact remains that the beds
7 have disappeared.

8 Q. Oh well the beds have disappeared, that
9 is a sure thing. Did you ask to be informed about the
10 letter from Mr. Baldwin concerning the closing of the
11 sleeping accommodation ?

12 A. No, I did not ask to see it because I
13 was not interested any more. I knew we wouldn't get
14 them back.

15 Q. So you were convinced that you could not
16 change the Department's opinion on the matter. Now you
17 say on page 8 that the Department can take irrevocable
18 decisions because of the relations between the Department
19 and the Quebec District. Have there been any changes
20 in the powers of the Department between 1955 and 1963?
21 In the powers of the Department?

22 A. I remember a time when the Department
23 would not have taken measures such as those mentioned
24 previously without talking to the pilots about it first.

25 Q. Once more my question is: Has there
26 been any change in the powers of the Department within
27 the last 10 years?

28 A. Oh certainly.

29 Q. Have you seen these changes in any law?

30 A. I have not seen them but I am looking at



1 French

2 the results.

3 Q. And that is enough for you?

4 A. That is perfectly enough.

5 Q. Mr. Koenig how many persons were in favour
6 of St. Simon for the pilotage station? As indicated
7 in your brief suddenly there were only two pilots, that
8 is one who stated so openly, that is Pilot Duchesne
9 and yourself since you have shown it in that brief.

10 A. Yes, it is quite possible. Officially
11 there might have been only one or two who gave their
12 opinion openly but unofficially there are others.

13 Q. And naturally we cannot know their names?

14 A. No.

15 Q. On page 12 and following you talk against
16 the impassivity of your colleagues and you complain
17 once more that the restricted number of special pilots,
18 for reasons that are very hard to understand, seemed to
19 plot with the dissidence. Did you ever have an opportunity
20 of attending certain meetings of these conspirators?

21 A. No, naturally they did not commit
22 themselves. Well they would hide, naturally.

23 Q. They were doing that in hiding?

24 A. Naturally.

25 Q. But on the other hand, of course, you
26 were in a position to sort of catch them red-handed?

27 A. Well I was not the only one.

28 Q. Many of them surprised them?

29 A. Yes.

30 Q. Two thirds of the Corporation or Association?



1 French

2 A. The two thirds of the Association naturally
3 were hearing about these secret meetings.

4 Q. There were several because before I asked
5 you and you said there were up to two thirds of the
6 members who were supporting your brief.

7 Q. I don't think that the definition of the
8 word "several" is as flexible as all that.

9 Q. Now it is only a few of them is it? On
10 page 12, and I quote:

11 "For having heard pieces of conversation, shed

12 "a little bit of light upon their attitude.

13 "Now we believe that the latter were trying to give

14 "the impression that they were fighting with the

15 "dissident pilots. We are convinced inwardly

16 that the line pilots would never be abolished. It was a
17 double play, or again duplicity, what you were calling dup-
18 licity before and the young pilots took advantage of the
19 situation."

20 Now, please tell me how we can check up the inward
21 feelings of people?

22 A. Well, naturally we cannot do that. They
23 were wondering a little how things took place and finally
24 we reached certain conclusions on why it happens and we
25 spoke with colleagues about that. Naturally, it seems
26 that these conversations occur and even afterwards we hear
27 some parts of conversation and people, perhaps when they
28 are having a drink, naturally will speak a little bit more.
29 And it is quite substantial.

30 Q. You made a supposition and it was sufficient for you?



1 French

2 A. Yes.

3 Q. Now the abolition of special pilots,
4 you mentioned the fact the transfer of the station from
5 the south shore to the north shore had been discussed
6 for a good many years and you mentioned ever since 1955
7 I think?

8 A. Yes.

9 Q. Now the question of special pilots was
10 also discussed, is it not quite true for a good many
11 years also within your organization?

12 A. Yes, certainly.

13 Q. And for as long a term as the discussion
14 of the transfer of the station?

15 A. A little bit more.

16 Q. When you became a pilot in 1951 was there
17 any mention at that time of the abolition of line
18 pilots?

19 A. No, I did not hear about it at that time.
20 A little later on.

21 Q. Between 1951 and 1955 then?

22 A. Well later than that.

23 Q. But this is something that might have
24 occurred in the course of a period of four or five
25 years?

26 A. Yes.

27 Q. And this is what you call sort of a
28 rapid war?

29 A. Well there is an overtone between the
30 type of war you are talking about and a sudden move which



1 French

2 cannot be foreseen. It happens suddenly after negotiations,
3 during which we were not aware of such a decision and
4 then suddenly, out of a blue sky we received the decision
5 overnight which was not expected from anybody.

6 Q. So this blue sky was during the four
7 or five years preceding the decision and during which
8 time all these discussions took place?

9 A. The blue sky was when the transfer of
10 the pilotage station was decided upon.

11 Q. Let's talk about special pilots. We are
12 not talking about the movage of the pilotage station.
13 You said that this question has been debated for four
14 or five years.

15 Then, you said out of a blue sky a decision
/RPS 16 was made in order to abolish this system of line pilots.

17
18
19
20
21 A. Because this decision was taken
22 at the same time by the Department.

23 Q. You say there is a difference between
24 rapid thought and rapid decision. I must tell you I
25 wasn't the one to use that expression. You used that
26 expression yourself.

27 A. All these things wouldn't have happened
28 if I had foreseen them.

29 Q. During the four of five years this
30 question was discussed nobody at any time foresaw



1 French

2 that an eventual decision would be made about them?

3 A. There was always friction between the
4 line pilots and the regular pilots for many years. This
5 wasn't new.

6 Q. That is enough for me, thank you.
7 In the next paragraph you say:

8 "Ayant remporté la victoire, quelles que soient
9 "les pertes encourues, les quelques dissidents
10 "devinrent les satisfaits, puisque la forteresse
11 "avait été enlevée,"

12 The diffident - did the diffident pilots not become the
13 majority?

14 A. Well, eventually, yes because there
15 were many new pilots who had been admitted at that
16 time and weren't aware of the advantages which were
17 enjoyed beforehand.

18 Q. In the last analysis would you think
19 the few diffidents were the majority?

20 A. In the last analysis the few diffidents
21 which had tried, with the members of the central group,
22 tried to show their force.

23 Q. Were you not aware of certain petitions
24 signed by the majority of the pilots toward the end
25 of 1959 recommending and asking for the abolition of
26 this line system and the setting up of a class pilot
27 system just like in the Montreal District?

28 A. Well, perhaps there were such petitions
29 in circulation.

30 Q. But you don't remember having signed them?



1 French

2 A. No, of course not.

3 Q. Now, let us come back to this question
4 of dictatorship on page 13. This morning you mentioned,
5 rather, my colleague, Mr. Jacques asked you a few
6 questions having to do with this dictatorship. This
7 morning we tried to define the regime of dictatorship.
8 And the notes that I wrote down seem to indicate that
9 this morning you gave in support of your argument, two
10 facts, the first being that at one meeting you had
11 asked for secret ballot on a question and that the
12 decision, in order to find out if there should be secret
13 ballot was taken by a show of hands?

14 A. Yes.

15 Q. The second being the adoption by the
16 Corporation of the amendment to the By-Laws or regulations
17 according to which the administrators going to a meeting
18 were allowed one half a turn per day, per meeting?

19 A. I didn't ask for an amendment.

20 Q. What I am stating, the second fact that
21 you gave to support this idea of the dictatorship regime
22 in your District is the fact that the general assembly
23 of the members have decided to grant to the Directors
24 one half a turn per day of meetings, is that true?

25 A. Yes.

26 Q. Those are the facts upon which you base
27 yourself to clarify this regime which you have called
28 a type of dictatorship?

29 A. These are the facts, aside from the fact
30 that I am against my will a member of the existing



1 French

2 Corporation and against my will I am also a member of the
3 Federation of Pilots, Federation of Pilots Districts and
4 I am also against my will forced to pay for expenses,
5 the details of which doesn't seem adequate to me and
6 expenses that I haven't to consider.

7 Q. So this, according to you, means you live
8 under a dictatorship?

9 A. I think you would have the same feeling
10 if you lived under the same circumstances.

11
12
13 Q. Well, unfortunately, I have to belong
14 to an Association which is called the Bar Association
15 and unfortunately I have no choice.

16 I show you Exhibit 593 which represents
17 the By-Laws of the Licensed Pilots Association of
18 licensed pilots for the region of Quebec and downstream.
19 I would like to draw your attention to Clause 30.

20 "Le bureau de direction ne pourra et ne

21 "devra intenter de poursuite judiciaire ou

22 "se defendre d'une poursuite judiciaire, ni

23 "diposer d'aucun argent, sans avoir

24 "l'approbation ou l'autorisation des deux

25 "tiers des membres, sauf pour la saine

26 "administration de l'Association."

27 This by-law has been adopted in accordance with the
28 general By-Laws by a majority vote of two-thirds of the
29 members of the Association?

30 A. Yes.



1 French

2 Q. So this situation you are complaining
3 about prevails in both Associations?

4 A. Also the fact that the circumstances
5 of going from the old Association to the Corporation.

6 Q. You don't recall having voted against
7 such an evolution to the Federation?

8 A. No, I don't remember.

9 Q. What you have just mentioned is why you
10 call this regime a type of dictatorship?

11 A. Isn't it enough for you? I could make
12 the statement with even less proof.

13 Q. So, according to this answer . . .

14 A. I don't think anybody should take my
15 wages without having authorization to do so.

16 Q. Did you not sign such an authorization?

17 A. No. Didn't sign anything with the
18 Corporation.

19 Q. Did you sign a membership form for the
20 Corporation?

21 A. I signed just an application form.

22 Q. You didn't keep any copy of that form?

23 A. No, I didn't keep any copy.

24 Should I explain to you clearly what I didn't keep a
25 copy of that document of my membership form?

26 Q. Certainly, if you have any explanation,
27 we'll give it.

28 A. Here it is. A little while after having
29 signed the application form I found out later on in the
30 same way that somebody who drives a car is forced to change



1 French

2 at the last moment when he wants to pass another car --
3 it was the first time -- I didn't sign this application
4 form long and I met the president in the street outside
5 the office. I asked him if he objected to the fact
6 I would withdraw my application. He said for what
7 reason. I had no reason to give and he refused. At
8 any rate I went to the office of the Corporation at that
9 time and I asked to see this form which I had signed.
10 I just felt like sort of putting it in my pocket and
11 tearing it up, but I considered the respect I had for
12 Mr. Menard then and I didn't want to put him in an
13 embarrassing position.

14 Q. Is it not a fact when this setting up
15 of the Corporation was decided upon there was sort of
16 a selection, a dividing of pilots in two groups accord-
17 ing to their political order, and at the time there were
18 two meetings during which all pilots had been convened
19 where forms had been studied, documents for the incorp-
20 oration and consideration given the advantages and dis-
21 advantages of such incorporation. Did you go to such
22 a meeting?

23 A. It is possible. I don't remember.

24 Q. Would it refresh your memory if I asked
25 you during these assemblies if you refused to anyone
26 to sign an application document immediately and a delay
27 was given to enable everyone to think it over.

28 A. It is quite possible.

29 Q. Is it not true that an assembly was
30 held at least one week later, a general assembly of all



1 French

2 members to which all members had been convened and where
3 the regulations were once more discussed and at the
4 end of which those who wanted to sign for incorporation
5 would fill the forms to belong to the corporation?

6 A. It is quite possible. I am not denying
7 any of these facts.

8 THE CHAIRMAN: Well, it is 4:30, Mr. Lalonde.

9 MR. LALONDE: The forms to which you refer,
10 Mr. Koenig, this form that you have signed after these
11 assemblies were convened?

12 A. Yes, after.

13 Q. After?

14 A. Yes.

15 Q. You didn't sign any other document before
16 or later on?

17 A. No.

18 Q. Do you know what the expression "to extort"
19 means? I produce the Larousse, a French dictionary
20 I brought along. In your brief you say the pension fund
21 to which you contribute represents an extortion.. Do you
22 remember using such an expression?

23 A. Yes, I remember.

24 Q. To extort means an active extortion and
25 this means obtained by force, violence or threat. Have
26 you had any threats by the Department concerning your
27 fund?

28 A. To me this means something against my
29 will.

30 Q. One would have to refer to the Koenig



1 French
2 Dictionary. It would be quite easy. Thank you, Mr.
3 Koenig.

4 THE CHAIRMAN: We are stopping here and we
5 will continue when we come to Quebec and all counsel
6 will be able to speak.

7 MR. JACQUES: I should like to ask members
8 of the Association of Pilots to file the original Act
9 of the Association which has not been produced.

10 MR. LALONDE: This is available at the office
11 of the Association, Corporation. If the Commission so
12 wishes that we file the original photocopy of it we
13 will be in a position to do so.

14 MR. JACQUES: Would it be possible to have
15 representatives of the Association to bring it and
16 put it at the disposal of the Commission on Monday at
17 Chicoutimi, the original of this Act.

18 THE CHAIRMAN: Will they be at Chicoutimi
19 Monday?

20 MR. JACQUES: Couldn't they give it to the
21 Counsel for the Association who will file it?
22 In Chicoutimi there will be as witnesses the manager
23 of the Harbour of Chicoutimi and the regional Marine
24 District Agent as well as one pilot. However, my lord,
25 I understand that Mr. Brisset has a problem to raise
26 concerning Chicoutimi and that he will have some documents
27 to file. I don't think there will be any objection
28 to filing these documents and discussing them in
29 Chicoutimi. The originals will be obtained later on.

30 THE CHAIRMAN: So, we are going to adjourn until



1 French

DD2 2 next Monday at the Pilotage District of Chicoutimi at
3 ten o'clock on Monday. Following what I said this
4 morning the Quebec hearings will go on September 9th,
5 Fourth Division High Court, Room 8, on the same floor,
6 but in the other wing of the building. It will also
7 be at ten o'clock. We will be here for one week. On
8 the 16th we will go to Montreal. If we finish earlier
9 than this here in Quebec there would be the possibility
10 of going right on to Montreal immediately because all
11 counsel will be here. I think, however, this will take
12 the whole week in Quebec.

13 Thank you, gentlemen. We have had a very
14 pleasant week. We have learned a lot of things and we
15 are in a hurry to finish with Quebec.

16 MR. KOENIG: I would like to thank the Court and
17 Mr. Jacques.

18
19 ---WHEREUPON THE HEARING ADJOURNED UNTIL MONDAY,

20 JULY 29th, AT CHICOUTIMI, QUEBEC.
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ROYAL COMMISSION

ON

PILOTAGE

HEARINGS

HELD AT

Chicoutimi

VOLUME No.:

54 *A*

DATE:

July 29, 1963

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ROYAL COMMISSION ON MARINE PILOTAGE

Proceedings of the Hearing
held at the Court House,
Chicoutimi, Quebec, on the
29th day of July, 1963.

COMMISSION:

The Honourable Mr. Justice Bernier
Chairman

Robert K. Smith, Esq. Q.C.
Member

Harold A. Renwick, Esq.
Member

Mr. Gilbert Nadeau
Secretary

COMMISSION COUNSEL:

Mr. Maurice Jacques

Mr. Leopold Langlois
for the Canadian Merchant
Service Guild

PRESENT:

Mr. J. Brisset)
Mr. H. Colley) for the Shipping Federation
of Canada,

Mr. J.M. Jacques for the National Harbours
Board,

Mr. J. Mahoney)
Mr. C. Mason) for the Dominion Marine
Association,

Mr. Marc Lalonde for the Federation of St.
Lawrence River Pilots; Corpo-
ration of Lower St. Lawrence
Pilots; Corporation of Mid-
St. Lawrence Pilots; Corpora-
tion of Montreal Harbour
Pilots; Corporation of St.
Lawrence River and Seaway
Pilots, Corporation of Upper
St. Lawrence Pilots.



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TEXTE FRANCAIS

ALBERT MALTAIS

Interroge par Me Maurice Jacques 1,781

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1 COMMISSION ROYALE D'ENQUETE SUR LE PILOTAGE MARITIME.
2

3 SEANCE DU 29 juillet 1963

4 CHICOUTIMI

5
6 LE PRESIDENT:

7 Je crois, à part le maître du port,
8 que nous sommes à peu près tous les
9 mêmes personnes que nous avons vues
10 à Québec et à Montréal, et qui nous
11 ont suivi un peu partout.

12
13 Alors, je ne ferai pas tous les com-
14 mentaires habituels que je fais pour
15 vous dire ce qu'est la Commission.
16 Surtout, on va essayer d'éviter le
17 plus possible et s'en tenir au strict
18 minimum, avec la température qu'il fait
19 aujourd'hui.

20 Je veux dire tout simplement, en
21 autant que je suis concerné, qu'il
22 me fait plaisir de me revoir ici à
23 Chicoutimi; c'était justement le
24 district où j'étais avant d'entrer sur
25 la Commission, et j'ai siégé ici de
26 septembre à décembre inclusivement.
27 Je me suis senti, hier soir, pas mal
28 chez moi quand je suis arrivé.

29 Me MARC LALONDE, c.r.,
30 pour la Féd. des Pilotes du St-Laurent

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TORONTO, ONTARIO



1 Votre Seigneurie, vous avez demandé
2 à mes clients de produire, si je ne
3 m'abuse, lors de l'ajournement
4 vendredi, certains documents se
5 rapportant à l'Association des Pilotes
6 Licenciés pour le Havre de Québec et
7 en Aval.

8 Je crois comprendre que les pilotes
9 ont eu une entrevue avec le conseiller
10 juridique de la Commission, samedi,
11 lorsqu'il a visité les lieux, et celui-
12 ci a déclaré ne pas requérir les do-
13 cuments aujourd'hui, il en a pris
14 connaissance suffisamment à l'époque,
15 et qu'il suffirait de déposer ces
16 documents en septembre.

17
18 Je n'ai pas ces documents ici.

19
20
21 Je, soussigné, sténographe officiel,
22 certifie par les présentes que le
23 texte ci-dessus est la transcription
24 exacte et fidèle de mes notes sténo-
25 graphiques.

26
27 G. OSCAR BOISJOLY
Sténographe Officiel.

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TORONTO, ONTARIO



ND/SS 1 ENGLISH

2 ---Upon commencing at ten o'clock, a.m.

3

4 THE CHAIRMAN: (Speech in French)

5 MR. LALONDE: (Speech in French)

6 MR. JACQUES: My lord, the document is
7 Articles of Association --- in view of the importance of
8 the document and since it exists only in one original,
9 I thought it should be left with the Association in the
10 meantime.

11 THE CHAIRMAN: That is quite right.

12

13 GEORGE EDWARD GODREAU, sworn:

14

15 DIRECT EXAMINATION BY MR. JACQUES:

16

17 Q. You are the District Marine Agent in
18 the District of Quebec?

19 A. That is true.

20 Q. So, Capt. Godreau, I believe you were
21 requested to prepare a summary of the aids to navigation
22 available to shipping in the Saguenay River from the
23 entrance. Whilst we were sitting in Montreal we discussed
24 the removal of the Prince Shoal and lightship. I believe
25 it has been replaced by a permanent structure.

26 A. The permanent structure is actually
27 under construction, but is not yet in service as far as
28 navigation is concerned. This lightship is still in use.

29 Q. Still operating?

30 A. That is right.



1 ENGLISH

2 Q. I notice on Chart 1203, filed as
3 Exhibit 436, that there are special buoys at the
4 entrance of the Saguenay River and this chart also
5 indicates various currents running from six to seven
6 knots. Would you tell us whether you have any difficul-
7 ties in maintaining the buoys in position in that area?

8 A. The entrance to the Saguenay River,
9 where the current is rather swift, we have to take
10 particular care in mooring the buoys in a manner they will
11 not be removed or displaced by the tide or current. How-
12 ever, occasionally, oh, it may happen perhaps two or
13 three times during the Summer, we have reports buoys have
14 drifted out of position and they are immediately replaced.

15 There is one buoy, however, which is
16 particularly affected by the tides, although it is not
17 exactly at the entrance to the Saguenay River. It is
18 on the north-east edge of the Red Islet and this buoy is
19 particularly affected by that. We have quite a lot of
20 difficulty in maintaining the position.

21 Q. You refer to buoy 35B?

22 A. I believe it is, yes.

23 Q. And as regards the five buoys at the
24 entrance, you stated sometimes they are out of position?

25 A. Yes, occasionally. Like, like some of
26 the buoys or all of the buoys as a matter of fact, all
27 the buoys sometimes are out of their position. As I
28 said before, we have taken particular care in mooring
29 them with heavier moorings in order to hold them in
30 position, because the current affects them more than at



1 ENGLISH

2 some other places in the river.

3 Q. Have you received any requests to
4 increase the number of buoys at the entrance?

5 A. Not recently, no.

6 Q. You have in the past?

7 A. We have in the past and as a matter of
8 fact, I think we have increased the number of buoys in
9 the entrance to the Saguenay over the past years. I haven't
10 with me the exact date of this request, or the computation
11 of the number of buoys. We have changed the position of
12 the lightship. I believe this is six or seven years ago.
13 We have shifted it to the westward and we have
14 recommended the range lights leading into the mouth of the
15 Saguenay --- these range lights which are called Pointe
16 Noire Ranges --- we have improved them in building new
17 piers and we also have opened them differently and with
18 the installation of the hydro power on the lights this
19 permitted us to increase the power of the lights. We
20 have changed the colour which is now green and the lights
21 are now reported to be quite adequate and quite satisfac-
22 tory.

23 Q. You say the lights are reported to be
24 adequate. By whom are they reported?

25 A. Various people concerned using the
26 lights, the mariners.

27 Q. Have you received any comments from
28 pilots?

29 A. I think we have. Although I don't think
30 we have any written comments on that, but generally



1 ENGLISH

2 speaking the pilots seem to be satisfied with the lights
3 and also particularly with the day marks that are painted
4 the orange flame colour is visible all over, whereas in
5 the past years when painted white with, I believe, a black
6 stripe in the centre with the snow background they were
7 rather difficult to pick up and see from a distance. But
8 now with the flame orange colour, they are very distinguished
9 from the background.

10 THE CHAIRMAN: We have noticed this when we
11 travelled by boat from Quebec to Chicoutimi and noticed
12 in the fog they used those range lights and aids to
13 navigation painted red and orange visible through the fog.

14 Q. Are the buoys off the entrance fitted
15 with radar reflectors?

16 A. Yes. I think there are two fitted with
17 radar reflectors, although I am not positive of that.
18 I think it is two radar reflectors, two with bells.

19 Q. Two radar reflectors and two with bells?

20 A. I think so.

21 THE CHAIRMAN: Mr. Scott, do you have an
22 extra chart?

23 COMMISSIONER SCOTT: No, there are not.

24 Q. Number 91B is a gas and bell buoy.
25 Number 94B is gas and bell and radar reflector buoy?

26 A. 95B is Bar Reef is gas and gong.

27 Q. And these are the entrance buoys, not
28 the Saguenay properly speaking. As regards the lightship,
29 is she fitted with a radar?

30 A. The lightship is not fitted with radar,



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2 because it wouldn't use the radar for practical purposes
3 very often, except when it is travelling from headquarters,
4 the base at Quebec, to the lightship station. Otherwise,
5 it wouldn't be necessary for the lightship to have radar.

6 Q. Has any thought ever been given to
7 having a radar either on board the lightship or the
8 structure which you are now building in order to guide
9 ships in and out? A shore-based radar in contact with
10 the ship?

11 A. No. As far as I know this has never
12 been thought of. It --- first of all --- it was never
13 requested and I don't think it is customary for shore-
14 based radars to guide ships in any river. The ships
15 themselves have their own radars and can guide themselves
16 into the river better than they could be guided in, and
17 so never contemplated to have a shore-based radar like
18 the ships.

19 Q. Would you describe the aids which are
20 found going up the Saguenay to Bagotville from the
21 entrance to the Saguenay, that is from Tadoussac, once
22 you have --- you are up to Pte. Noire. The front of
23 Pte. Noire Range is visible from all points of approach.
24 That is from all points from the sea, although being
25 range lights which normally are only visible
26 this one is visible from all points approaching to allow
27 the mariners when entering or leaving the Saguenay to
28 see this light when in the beam of it or opposite it.

29 Q. I imagine it is visible when you are
30 also going down the Saguenay?



1 ENGLISH

2 A. Yes. From all points of approach from
3 the water. On the opposite side of the river you have
4 Pte. Aux Vaches, a small flashing light on the rocks just
5 at the entrance of the Saguenay.

6 Q. I believe it is unwatched?

7 A. All lights in the Saguenay River are
8 unwatched.

9 Q. Are they fitted with an emergency system?

10 A. Some of them are. The ones with range
11 lights are all fitted with emergency or lights that are
12 turned on automatically when the lights become defective,
13 but not so for the coast lights in the Saguenay.

14 Q. Would you consider Cap de la Boule a
15 coast light?

16 A. Yes. It is not fitted with an
17 emergency apparatus.

18 Q. All leading into the dredge channel?
19 And all the other lights up the Saguenay River from the
20 entrance?

21 A. From the entrance to Cape East we have
22 twelve lights operating twelve months of the year, and
23 not fitted with emergency apparatus.

24 Q. Have you any data on the number of
25 outages?

26 A. I have made --- I have had a survey
27 made of that, and the data is the same as the ones
28 reported in Montreal, approximately 14 a month. 14 per
29 month. That is including buoys.

30 Q. Including buoys?



1 ENGLISH

2 A. Yes. And the range light in the
3 Saguenay from St. Fulgence, all the aids to navigation
4 from the entrance to the Saguenay including buoys, to
5 Chicoutimi.

6 Q. Do you have any information on the
7 length of the outages?

8 A. In the Saguenay River, that is from the
9 entrance to St. Fulgence, the outages will necessarily be
10 longer than would be the case with range lights where we
11 have a caretaker from St. Fulgence to Chicoutimi and also
12 because of the fact the range lights are considered to be
13 more vital for the mariners because they lead the mariners
14 through a dredge channel, than the ones in the Saguenay
15 River itself where there are no shoals and it is easier
16 to navigate.

17 Q. And repairs to the lights in the Saguenay,
18 excluding the range lights from St. Fulgence down, who
19 looks after the repairs?

20 A. They are looked after primarily from the
21 base at Quebec. When they are reported to be defective,
22 a ship is sent down and they are repaired as soon as
23 possible. You will realize it is not possible to have
24 either a caretaker or a lightkeeper stationed there. It
25 would be highly expensive because you would have to build
26 a residence there at the location. There are no roads
27 leading to the places and the only access is from the
28 water.

29 Q. Repaired and maintained from Quebec?

30 A. That is right.



1 ENGLISH

2 Q. Is there any particular ship assigned
3 for the maintenance of these lights?

4 A. No. All the ships based at Quebec are
5 used for this purpose. For instance, in the Spring of the
6 year when the ice-breakers proceed up the Saguenay, we
7 put these lights back in operation, after they are found
8 defective by various means. And the most adequate one
9 in the Spring is the helicopter. We land as close as we
10 can to the lights and plough through the snow to reach up
11 the cliff to put either a new battery or gas container in.

12 Q. As regards the range lights you mentioned
13 there was a keeper looking after them?

14 A. A caretaker looking after range lights
15 in Chicoutimi --- St. Fulgence District and a lightkeeper,
16 two lightkeepers as a matter of fact, to look after range
17 lights at Pointe Noire where there is also a fog horn.

18 Q. And also an emergency system there?

19 A. Yes.

20 Q. And you have two lightkeepers?

21 A. Two lightkeepers. The main purpose of
22 having the emergency system there is because of the fact
23 these lights, being operated twelve months of the year,
24 a lightkeeper during the Winter does not stay at the
25 light station, but goes home across the river at Tadoussac
26 and the fog horn in the Winter is inoperative and the
27 service of the lightkeeper is not as necessary as during
28 the Summer.

29 Q. The fog alarm is not operative during
30 the Winter? Why?



1 ENGLISH

2 A. No fog alarm is operated in the district
3 in the Winter, because of technical difficulties caused
4 by frost.

5 Q. Have you received any comments or
6 requests or complaints in that respect?

7 A. No, not that I know of, because I believe
8 all of the mariners who are the people who would normally
9 put a request or complaint in are well aware of the fact
10 that these technical --- these technical difficulties are
11 not yet overcome.

12 Q. So you have the lightkeepers there
13 during the navigation season?

14 A. That is right.

15 Q. Do they stand watch 24 hours a day?

16 A. Yes, sir.

17 Q. During the whole season?

18 A. That is right, sir.

19 Q. When do you consider the season starts
20 as regards these lightkeepers?

21 A. The lightkeeper goes back to his
22 station on April the 1st and remains there until all the
23 ships have come out of the Saguenay River. Probably
24 December. It varies considerably with the severity
25 of the Fall. When the ice is made up in the Saguenay and
26 no ships are expected or scheduled to come up the
27 Saguenay we permit him to go home and put the range lights
28 on automatic or hydro.

29 Q. I see. And these ranges therefore
30 would be lit twelve months a year?



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2 A. Correct. During the Winter months when
3 he is home, he is responsible for the lights and acting
4 as caretaker and goes there every so often, probably
5 every week or so. He sees them from the wharf at Tadoussac
6 probably, or some point.

7 Q. Has he any other job to do during the
8 Winter?

9 A. No. He is paid twelve months of the
10 year.

11 Q. Paid twelve months of the year?

12 A. Right.

13 Q. No other assignment or duties during
14 the year but look after Pte. Noire Ranges?

15 A. Right.

16 Q. Now, sir, with respect to the ranges in
17 the St. Fulgence --- Chicoutimi area, you mentioned a
18 caretaker. Where is he stationed?

19 A. There are several range lights there
20 located at either side of the Saguenay River. We have
21 two caretakers, one lives in Chicoutimi North-West, and
22 the other one lives in Chicoutimi proper.

23 ~~And~~ And whenever any of the lights are
24 reported defective he immediately goes there and if there
25 is something he can't do, it means I send a man, a
26 technician. A technician is dispatched from Quebec by
27 car to Chicoutimi.

28 Q. How does he reach these various ranges?

29 A. By car.

30 Q. By car?



1 ENGLISH

2 A. Yes. There are roads. The lights are
3 easily accessible during the Summer.

4 Q. And what equipment has he got to main-
5 tain these lights with?

6 A. Well, he has the necessary spare
7 batteries for emergency lights and spare bulbs for both
8 lights and the emergency system. That is about all.
9 Because, not being a technician, it is not necessary or
10 even advisable to give him any other technical equipment.
11 He probably wouldn't be able to use it.

12 Q. How is he advised when any lights are
13 out?

14 A. He is advised by the mariners using the
15 lights; pilots or masters or anybody, or if he happens to
16 see himself he goes there, but he is not --- these lights
17 are unwatched and they are advertised as such.

18 Q. I realize that, but how would the
19 pilot or a mariner get in touch with him? How would he
20 know who to telephone?

21 A. The procedure has been when a ship
22 reaches Chicoutimi he notifies the Harbour Authority who
23 in turn either notify us or the keeper, the caretaker.
24 The Port Manager and his staff know both caretakers and
25 they have his address and telephone number. Failing
26 that, if they can't reach him, or if they notice a light
27 defective on the way down, they send a report by wire or
28 radio. This, incidentally, is quite a chore, because the
29 radio reception in the Saguenay is very, very difficult.

30 Q. So we have heard in Quebec. Would these



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2 caretakers also look after the buoys?

3 A. No, sir. Nothing to do with buoys
4 whatever.

5 Q. These ranges which are fitted with
6 emergency systems, is there any indication --- is there
7 any way to distinguish them on the charts or the various
8 publications from the originals without any emergency
9 system?

10 A. No, I don't think it is necessary,
11 because when they have an emergency system this system
12 gives the same light as they would, as would the original
13 light.

14 Q. We are advised that the candle-power of
15 the emergency system was not as great as the candle-power
16 of the ---

17 A. Not in the Saguenay River. Some lights,
18 yes. Where a light is highly powerful it is quite
19 impossible to have an emergency system of the same candle-
20 power as the main light, but in the Saguenay River the
21 power is the same, six volts.

22 Q. The caretakers are full-time employees
23 of the Department?

24 A. No. The caretaker is a man that just
25 receives a remuneration and not a salary. He is not paid
26 by the month. He gets so much per year.

27 Q. So he has other occupations apart from
28 that?

29 A. Either a farmer or maybe, he may be some-
30 body working at some industry.



1 ENGLISH

2 Q. To the best of your recollection, have
3 these other occupations ever interfered with their
4 service to aids to navigation?

5 A. I don't think so. It may have. The
6 duties of these caretakers are not very great. They
7 don't require to be a technician --- change the bulbs
8 doesn't require much knowledge.

9 Q. No, but perhaps if he were requested to
10 change a bulb and say I am awfully sorry, I am taking in
11 the hay today and I will change the light tomorrow.

12 A. Not to my knowledge. This has never
13 occurred that a caretaker has refused to repair a light
14 as soon as he was told to do so, or as soon as he is
15 aware of the outages, because of other duties. At least,
16 we have no knowledge of any circumstances of that kind.

17 Q. Would these ranges be lit all year?

18 A. No, the range lights are only lit during
19 the navigation season.

20 Q. And are the day marks of these ranges
21 painted with the new type of paint, orange?

22 A. They are now.

23 Q. What about buoys now? Do you look
24 after them from Quebec?

25 A. The buoys in the Saguenay River are
26 placed by the ships from Quebec since approximately six
27 years. And we have a buoy tender for the Summer season
28 who visits at least once a week and changes batteries if
29 necessary and changes bulbs when that is necessary, and
30 if a buoy is reported out of position, a ship is



1 ENGLISH

2 dispatched from Quebec to put it in its proper position.

3 Q. Why would this tender visit or check
4 on these buoys so often?

5 A. Because we feel it is necessary to
6 prevent any, to prevent any outages as much as possible.

7 Q. Is there anything peculiar about the
8 current there?

9 A. Not necessarily, no.

10 Q. Do you check every week on all other
11 buoys?

12 A. No. The channel of Chicoutimi is very
13 narrow and also it is a long ways from Quebec and have
14 made a point to obtain a buoy tender. He can't place
15 the buoys in the Spring and remove them in the Fall, but
16 he looks after them even when we had a buoy contractor who
17 was placing the buoys in the Spring and removing them in
18 the Fall. He was also obligated to visit buoys during
19 the Summer.

20 Q. Do you ever check on him to find out
21 whether he does visit the buoys?

22 A. Just on his word.

23 Q. Just on his word?

24 A. We have no other means to really find
25 out if he is. We have to rely on his word.

26 Q. We might suggest that to the Department
27 to check?

28 A. Yes.

29 THE CHAIRMAN: He just trusts people.

30 THE WITNESS: We feel any employee of the



1 ENGLISH

2 Department has a good word and rely on it.

3 Q. When do you lay the buoys down in the
4 river?

5 A. This year I forget the date it was, but
6 the buoys are laid in the Spring of the year. The practice
7 has been for a few years, since we have had the privilege
8 of having more ships attached to the agency, we laid the
9 buoys --- sent a man to Chicoutimi and he waits until all
10 of the ice is gone and as soon as the tides are favourable
11 to place the buoys he starts. The operation, depending
12 on the weather, it generally lasts between two or two and
13 one half days.

14 Q. What would be the earliest times at
15 which he has laid buoys?

16 A. The earliest would probably be around
17 the 15th of April.

18 Q. The 15th of April?

19 A. Yes.

20 Q. And when are they taken up?

21 A. In the Fall of the year. The program
22 is essentially the same. We send a ship up here and when
23 the last ship has got out from Chicoutimi I report to the
24 Harbourmaster, who works in close cooperation with us, not
25 the Harbourmaster, the Port Manager, and he informs us
26 there is no ships to come out and none expected to come
27 in and we start moving buoys from Chicoutimi to St.
28 Fulgence.

29 Q. It doesn't necessarily have a connection
30 with the presence of ice. If you are advised in October



1 ENGLISH:

2 that the last ship has come in and gone out you would
3 remove the buoys?

4 A. It is not certain whether because the
5 ships --- last ship that comes up generally waits until
6 the ice --- the last ships come up just before the ice
7 forms up and what stops ships is the formation of ice, so
8 in this manner it is closely connected with the removal
9 of the buoys.

10 Q. What would be the latest date for the
11 closing of the season in the Saguenay?

12 A. Late December, late November or the
13 middle of December.

14 Q. When the ice forms do you have an ice-
15 breaker available in the Saguenay?

16 A. No. In the Fall of the year it is not
17 necessary to have an ice-breaker in the Saguenay because
18 when the ice starts to form the type of ice that forms
19 can be easily broken by a ship, an ordinary ship. Whereas
20 it is difficult with the conditions in the Spring where
21 ice is really thick. I don't think it has been necessary
22 to send an ice-breaker to go there.

23 Q. You found it is not necessary?

24 A. It has not been necessary. I don't
25 recall any circumstances where we had to send ice-breakers
26 to assist ships out of the Saguenay.

27 Q. And by the Saguenay, you mean from
28 Chicoutimi down?

29 A. From Chicoutimi right down. One year
30 when one ship got into difficulty, four or five years, and



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2 happened to have a small vessel here and he assisted him.

3 Q. I recall an incident of a ship coming
4 up St. Fulgence Channel before buoys were laid down.

5 Would that happen very often to your knowledge?

6 A. Not very often. What happens is this:
7 You can only place buoys when the visibility and condi-
8 tions are good and if a buoy tender is shown at Chicoutimi
9 to St. Fulgence for that type of conditions to prevail,
10 it is possible a ship may be coming upriver and instead
11 of waiting until the buoys are all laid, he attempts to
12 go in on range.

13 Q. The range will light it?

14 A. Yes, they are lit as of April 1st, or
15 as soon as the ice goes out.

16 Q. Do you have special day marks to fix
17 the position of the buoys?

18 A. We have day marks, yes. We have all
19 along the river to place buoys with a sextant angle. They
20 vary considerably. We have painted rocks in some places
21 along the river.

22 Q. Are these day marks kept up by, through-
23 out the year, painted and so on?

24 A. Yes, because they are only used by our
25 own people when placing and checking the buoys. They are
26 not markings that can be used by a mariner, because they
27 are only for the purpose of taking sextant angles. It may
28 be Mr. Jacques' barn and take a corner of the barn --- we
29 don't necessarily place marks for the purpose of taking
30 angles on them.



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2 Q. Have you received any requests for
3 changing the position of the aids to navigation in St.
4 Fulgence Channel?

5 A. Yes. We have new buoys that have been
6 placed there over the past eight or ten years and have
7 improved on the system of light ranges whereas we had oil
8 lamps before we now have all electric lights with hydro
9 power and emergency system.

10 Q. On the St. Fulgence ranges?

11 A. Yes.

12 COMMISSIONER SMITH: My lord, if I may, I
13 want to ask the witness a question.

14 Is it your opinion that the most advanced and
15 best type of aids to navigation are provided on the
16 Saguenay and in Ha-Ha Bay in order to provide the maximum
17 of the safety to navigation? If there is not, have you
18 any suggestions to offer how the gap can be filled?

19 THE WITNESS: In the Saguenay River, sir, as
20 you are aware, there is no hydro power available.
21 Consequently, we have to rely exclusively on battery or
22 gas operated lamps. The effectiveness of these type of
23 lamps is necessarily restricted by the batteries, the
24 power that the batteries can supply. However, in recent
25 years there has been considerable research made and new
26 types of lights have been developed. We have new type
27 of lights assembly installed this season and probably
28 within the next month. It is a new lens called an
29 accruelec lamp. This is still a battery operated light,
30 because if we put a bulb which is too powerful or use too



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2 much amperage on the batteries, well, necessarily it will
3 be more apt to have outages because the batteries will be
4 used up in a shorter period, so we are planning to fill
5 this gap with a new lens as I explained before. It is
6 called an accruelec lamp. Wherever it has been possible to
7 obtain hydro power to permit us to use more powerful
8 bulbs, we have done so.

9 Q. Would you be able to supply the
10 Commission with literature on this new type of lens?

11 A. I think so. We get it from the States.
12 It is made by Wallace & Turnan. We could get it for the
13 Commission.

14 Q. Will you look after that, please?

15 A. I certainly will.

16 Q. Now, sir, in Ha-Ha Bay, I believe there
17 is only one light; is that correct?

18 A. There is one navigation light which is
19 called a wharf light at Bagotville wharf. We have no
20 range lights leading in there, because the bay, there is
21 no dredged channel and the bay is quite large. There is
22 a buoy further at the eastern corner of Ha-Ha Bay on the
23 west side of the Saguenay, and that is all the lights we
24 have.

25 Q. Have you ever received requests for an
26 increase in the number of aids to navigation in that
27 Bay?

28 A. No, we have not received any requests
29 for range lights. There was one one time, probably ten
30 years ago, an old crib at the corner of Ha-Ha Bay on the



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2 west side, close to where they buoy is, Pointe du Fort,
3 or something.

4 Q. It was Pointe du Fort?

5 A. We received a request --- I think it was
6 a request made by the pilot. If I recall at the time,
7 Mr. Andre Bronson, I believe was the President of the
8 Pilots and had a request to put a lighthouse, light pier.
9 The cost of the structure would have been quite
10 considerable and the project was abandoned or postponed.
11 I should say abandoned.

12 Q. Abandoned, not postponed?

13 A. Right. And there have never been any
14 further requests.

15 Q. How many years ago is that?

16 A. About ten years ago -- eight or ten.
17 A request from Bronson, President of the Pilots, then.

18 Q. I am instructed there are several
19 private wharves at Port Alfred; is that correct? To the
20 best of your knowledge?

21 A. Only two wharves in Ha-Ha Bay that are
22 owned by the Government. Our Bagotville wharf --- where
23 there are two finger wharves --- and another one at Grand
24 Bay, the wharves at Port Alfred are owned by the company
25 operating the paper mill there and aluminum ships.

26 Q. Do you know whether these companies
27 maintain their own aids to navigation?

28 A. Pardon?

29 Q. Do you know if these companies have
30 their own aids to navigation on the wharves?



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2 A. No aids to navigation on these wharves
3 that I know of. At least, there are none published. The
4 policy has been over the years that whenever a private
5 company built a wharf for their own use they put their
6 own aids to navigation, maintained and operated them them-
7 selves. We supply the technical advice on the installation
8 and the procurement of these aids to navigation and they
9 are bought by the owners of the facilities.

10 Q. Then before they install the aids did
11 they have to obtain your permission?

12 A. Oh, yes. And these aids are also
13 published in the confidential list of lights and the
14 charts and they are advertised in the list as being
15 privately owned and maintained.

16 Q. Would there be any special regulations
17 applicable to privately owned navigational aids?

18 A. Before they install these aids as I
19 said, we supply the necessary technical information as to
20 what types of lights would be preferable to install and
21 most useful to the mariners using these facilities.
22 There is no special regulation governing the type of
23 lights as to the power of the light, for instance.

24 Q. No regulation preventing people from
25 having their own navigational aids?

26 A. After they had obtained permission from
27 the Department.

28 Q. That is just it. Permission from the
29 Department, how is it obtained, under what regulation?

30 A. I think if you look up The Shipping



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2 Act rather than The Navigational Waters Protection Act,
3 you will probably find an article there.

4 Q. It might come under that, but no
5 knowledge of a special set of regulations?

6 A. Except as I said, we supply the necessary
7 technical knowledge. I am not aware of any circumstances
8 where private navigation lights of any power or intensity
9 that could affect general navigation was established with-
10 out the Department being notified.

11 MR. JACQUES: Thank you, sir.

12

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SS
LISH

GEORGE EDWARD GODREAU

CROSS-EXAMINATION BY MR. LALONDE:

Q. Capt. Godreau, I understand that the lightship is going to come into operation later on this year; is that the case? Or is it next year?

A. When you say "lightship", I presume you refer to this new pier?

Q. I am sorry, yes, Prince Shoal Pier.

A. Unfortunately it will not be in full operation this Fall. Consequently, the lightship will remain in its position until the close of the navigation season as in former years. We have met with certain technical difficulties and have sustained some damages by ice last Fall and not being completed it was affected more than it will be when completed. It will be put in operation this Fall.

Q. And have you any idea of the total cost of this pier when it has been completed?

A. I imagine it will cost between \$650,000.00 to \$800,000.00.

Q. I see. And I don't remember whether I asked you this question in Montreal, but do you know whether there is any charge to ships such as light dues elsewhere in other countries, certain other countries, or is that service provided free to the ships?

A. Provided free to the ships. They pay no light dues as it is called in several other countries.



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2 Q. I understand there were certain requests
3 made for what is called remarque aboard the lightship,
4 have you been made aware of those requests?

5 A. Requests for what?

6 Q. Raymark or raycon. Have you been
7 made aware of such requests?

8 A. No, I am not aware of any requests
9 for any --- This is obviously a new aid. I am sorry, I
10 am not aware of it. I am sorry I have never heard of it.

11 Q. I am informed this is a type of signal
12 which makes a mark on the radar?

13 A. No. If you mean it might be a signal
14 that is installed in connection with radio beacon we
15 have none, and that to date I am not aware of this new
16 type of aids to navigation.

17 Q. And unaware if you have received any
18 request as coming from the pilots?

19 A. Not that I know of. If I had thought
20 so, I certainly would have tried to find out what it is.

21 Q. I think the pilots also made certain
22 requests for changes in the characteristics of the light-
23 ship near Prince Shoal and that these changes have been
24 effected last year. Is that the case? Or the year
25 before, so that it will not be confused too easily with
26 Cape East?

27 A. In former years we had another type of
28 light ship there. We changed the characteristic of the
29 light when the new lightship was brought in, when moved
30 over from White Island to this Prince Shoal position and



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2 changed the type of lights in order that the aid wouldn't
3 be confused with Red Island ---

4 Q. And it followed a request by the pilots
5 to this effect?

6 A. I imagine it would be, yes. I don't
7 recall the request specifically. It is quite possible
8 and probably is.

9 Q. You also mentioned that some ships, but
10 not too many, were coming up the Chicoutimi Channel in
11 the Spring before the buoys would have been installed.
12 Isn't it a fact that more ships come after the buoys
13 have been taken out in the Fall than before they are put
14 in in the Spring time?

15 A. In the Fall of the year we removed the
16 buoys, have been some of the ships come up after some ice
17 has started to set in, but if you will realize, if we
18 leave the buoys out until the ice starts to form up it
19 then becomes very, very difficult and dangerous to remove
20 the buoys. We tried that one year and lost five buoys
21 which broke away from their moorings and became more a
22 hazard or hazardous to navigation than a help. Because
23 they were not in position and had no means of finding
24 exactly where they were, because they were drifting with
25 the ice.

26 It takes very little ice to displace a buoy
27 and for that reason we have made a point to check on the
28 water temperature and wait until the last, when the water
29 goes to approximately 35 or 33, before we start removing
30 them. If we feel there are still some ships coming up or



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2 know they are coming up, we wait until the last moment,
3 but otherwise we remove them when it is known that no
4 further ships will be coming up.

5 Q. I don't want to infer you should leave
6 it longer than you do. In fact, my own question was
7 whether you were aware some ships would still come up the
8 Chicoutimi after the buoys have been taken off in the
9 Fall?

10 A. Yes. Some have come up and have
11 encountered great difficulties, I understand. It is not
12 recommendable.

13 Q. You stated that the lights in the
14 Chicoutimi Channel area were operated by electric power.
15 Is that the case?

16 A. That is right, sir, hydro power.

17 Q. Yes, sir. Have you ever experienced
18 hydro failure, general hydro failures in this area?

19 A. There may have been some on a few
20 occasions, although we have no means of knowing that,
21 because we have no recorder installed on these sites.
22 When the hydro fails there is a automatic switch which
23 automatically turns over the light to the emergency
24 system and when the power returns it automatically
25 returns on the hydro.

26 Q. And the emergency system would be
27 operated on batteries?

28 A. That is correct, yes.

29 Q. You are no doubt aware of the various
30 installations made by oil companies along the river and



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2 especially in the Chicoutimi Channel. Have you any
3 comments to make about the characteristics, any comments
4 in respect to the advantages to navigation which might be
5 expected by more of these installations? Are you in a
6 position to comment on this?

7 A. Yes. There is only one location, where
8 these buoys are placed in the Spring and removed in the
9 Fall by the Government and these are the buoys located at
10 the oil moorings that come under the jurisdiction of the
11 Port of Chicoutimi and we graciously place the buoys for
12 them. I understand they are not close --- as a matter of
13 fact, I am sure --- but don't think they can be placed
14 any further away from the channel, unless a considerable
15 amount is spent for dredging a larger basin and permitting
16 ships to come a way from the channel. I received a
17 complaint from a yacht who had been going through there
18 and that was the first complaint I have received the
19 buoys were too far in the channel; first official
20 complaint from a small yacht drawing about five feet of
21 water.

22 Q. Did she have a pilot? Obviously she
23 wouldn't have or she wouldn't have complained. Thank you
24 very much.

25
26 BY MR. LANGLOIS:

27
28 Q. One question, Capt. Godreau, in relation
29 to Mr. Lalonde's question as to the installation, advan-
30 tages of the installation of what he referred to as



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2 raycon equipment in the Prince Shoal Pier or Red
3 Island. This type of equipment enables a person watching
4 the radar to identify the object. There are two lines on
5 the same principle as I.F.F. Do you think this would be
6 advantageous?

7 A. It probably would be, because there are
8 three, there will be three main points close to the
9 entrance of the Saguenay River, Prince Shoal Pier, Red
10 Island and White Island Pier. They probably could be
11 identified before on that. When a mariner would see the
12 three together he would certainly be able to identify
13 them from their position on the radar screen, because
14 they are not located so close they couldn't be identified.
15 If he comes from eastward I imagine he could identify
16 Red Island, unless he comes from another direction, but
17 eastward Red Island is the one in the middle, west, White
18 Island on the port hand and Prince Shoal on the starboard
19 hand. But this type of raycon certainly would be a
20 help in the entrance of the Saguenay.

21 Q. This is used, I gather, quite
22 extensively in the English Channel. Do you know if it
23 was ever tried in Canada?

24 A. Not that I know of.

25 Q. And one other question if I may. It
26 doesn't have anything to do with the Saguenay. Last time
27 you gave evidence before the Commission you referred to
28 tri-coloured lanterns which the Department put to mark
29 outbound pilots. The opinion has apparently been
30 expressed this particular installation is not satisfactory



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2 due to the current conditions prevailing there. The
3 range lights established for downbound vessels are
4 constructed in fairly deep terrain. Is it not possible
5 or economical to construct a similar set of ranges for
6 upbound vessels?

7 A. We have investigated this and have found
8 we can't get the proper distance horizontally between the
9 two lights without going to too great a distance vertically
10 of the two lights, because of the closeness to the water
11 and the mountain is close to the river and going rather
12 steep and wouldn't be practical and couldn't install an
13 effective set of range lights in that area.

14
15 BY MR. JACQUES:

16
17 Q. In connection with this last question,
18 you mentioned installation of efficient range lights. Is
19 there a set rule as regards the vertical distance and
20 horizontal distance of range lights?

21 A. Definitely. Four factors come into
22 play there when you are planning installation of range
23 lights. You have the distance from which it should be
24 seen and the distance at which you want the range lights
25 to be most efficient. If it is the centre of the narrow
26 channel like coming into a port, for instance, and the
27 width of the channel --- from there you have to make your
28 formula that will give you the distance at which your
29 lights should be located apart and the difference in
30 height between front and back light. If you don't use



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2 this formula you will find at a certain point coming in
3 there the lights will be just even with --- the front
4 even with the back light --- and consequently you will
5 not know if you move from one side of a line of the light.
6 You will not know which is which. Otherwise you could go
7 past the lines so far apart it would be very difficult to
8 put in line.

9 Q. Would you know this formula by heart?

10 A. No. I can write it to you when I get
11 home. It is a rather long formula.

12 Q. Please do. It will benefit the
13 Commission.

14 A. All right.

15
16 BY MR. LANGLOIS:

17
18 Q. About this raymark, or whatever you
19 call it, is it not a fact not all types of radar could
20 pick up this fine signal?

21 A. I am, as I said before, I am not aware
22 of just exactly how it is operated and what it consists
23 of, and also what would have to be done to the light
24 station in order to give this signal, so I couldn't ---

25 Q. The ship has to be fitted with a
26 special set of radar to pick up this signal?

27 A. I imagine it would, yes.

28 Q. There is another point that should be
29 brought to the attention of the Commission. At the
30 entrance of the Saguenay River in the vicinity of Prince



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2 Shoal Pier, is it a fact you have a patch where ships
3 coming up the Saguenay have to wait for fog to lift and
4 would come and anchor and on occasion you have a number
5 of ships anchored in the vicinity of the pier?

6 A. I don't think that the ships would
7 anchor very much there, because of the strength of the
8 current. They probably come, not in the vicinity of the
9 pier, because the current is quite swift. Right close
10 there is a patch of water, rocky patch in fact and this
11 could run to confusion sometimes when ships will mistake
12 one of those anchored ships for the light vessel.

13 Q. It probably would if you consider that
14 the fog horn on the light ship would not be in operation
15 after this fog and after clear weather the light would
16 not be in operation, otherwise you could distinguish it
17 unless it is far away.

18 A. I don't know if this point was covered
19 before I got here this morning. Was there any mention
20 of dissatisfaction of radio-telephone service at Pointe
21 Noire? If not, tell the Commission why this radio-telephone
22 service was discontinued.

23 A. The radio-telephone at Pointe Noire was
24 originally placed there to report ships in and out to the
25 Signal Service. When the Signal Service was discontinued,
26 or even before that, this radio-telephone was also used
27 considerably to give meteorological information to the
28 ships coming in and out of the Saguenay. The lightkeeper,
29 for instance, would give whatever weather was prevailing
30 at the mouth of the Saguenay, but I understand it interfered



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2 considerably with larger coast lights. It actually
3 operated outside of the scope of the regulations governing
4 the radio coast station --- coastal radio station, rather,
5 because it was not an official radio station. The
6 operator there is a lightkeeper and only had this radio-
7 telephone for its own use similar to other lightkeepers
8 and also for purposes of reporting the ships, because
9 they had no, it was considered quite an isolated station
10 and this service or telecommunications branch of the
11 D.O.T. decided this station did not fall within the
12 scope of regulations governing their action and as you
13 are aware this, of course, falls under the telecommunica-
14 tions branch and not aids to navigation.

15 Q. Is it not a fact, Captain, even though
16 this station didn't operate as a standard coastal radio
17 station it was not creating any interference with the
18 operation of the other stations?

19 A. It had a considerable amount of traffic,
20 particularly from the schooners. The schooners rather
21 than call Mont Joli ---- Father Point, sent messages to
22 the family to tell their wives to cook the bacon, he was
23 coming in. He would call Pointe Noire and say "Call home
24 and tell him I will be home two o'clock tomorrow morning".
25 This went on quite a lot. Under the circumstances there
26 was quite a bit of it and I believe it may have been
27 one of the factors that governed telecommunications.

28 MR. JACQUES: Is it not a fact they are
29 members of the St. Lawrence Shipowners' Association? Is
30 it not a fact this was a case of your man being too obliging?



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2 A. This man is a good lightkeeper and a
3 D.O.T. employee and considerably obliging.

4 Q. It must be admitted the station was
5 of assistance to ships needing information, especially in
6 foggy conditions on the entrance of the Saguenay River.

7 A. It did render a considerable amount of
8 service and one of the great factors that brought this
9 about was the fact that the station is located at a point
10 where radio communication with ships outside the entrance
11 of the Saguenay is particularly good for ships entering
12 the Saguenay where some can't communicate with Father
13 Point or Mont Joli, or Quebec.

14 Q. Do you recall having received recommen-
15 dations and protests from shipowners and pilots at that
16 time because of discontinuance of this station?

17 A. Yes. We had a number of verbal requests.
18 I can't say however, if we have received any written
19 requests, probably we have from St. Lawrence Shipowners'
20 Association. I believe we have received some requests
21 from them or comments, at any rate.

22 Q. Another point ---

23 A. Incidentally, these requests were
24 referred to Headquarters Telecommunications Branch who
25 have taken it up with them.

26 Q. Another point, Captain, I don't know
27 if it was covered earlier; will you tell the Commission
28 if you have experienced trouble in keeping buoys in
29 position, especially at the lower end of the approach
30 channel to Chicoutimi?



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2 A. Not particularly. I don't believe it
3 has been worse there than anywhere else, but in the
4 Spring of the year we have experienced difficulty there
5 because of the fact some places we have allowed buoys to
6 be placed too early when there was still some ice. We
7 thought it would melt there completely and when this ice
8 went away it carried some of the buoys out of position,
9 but otherwise I don't think we have more more difficulty
10 to maintain the buoys there.

11 Q. What about during the freshet season?
12 Do you have some difficulties?

13 A. During the what?

14 Q. Freshet season?

15 A. No, I don't think so.

16 MR. JACQUES: One last question to clarify the
17 record. This radio station, radio-telephone station at
18 Pointe Noire, did it come under you as District Marine
19 Agent?

20 A. It came under me in a way. The radio
21 station was operated by one of my employees, but the
22 radio station itself is under Telecommunications Branch
23 for the purpose of the Signal Service. That lightkeeper
24 was operating the radio for light station. Perhaps it
25 came under aids to navigation.

26 Q. In your position do you have anything
27 to do with radio or telecommunications? Do you look after
28 any aspect of that branch of the Department?

29 A. All radio station --- and it is now
30 since last year --- and it is coming more and more, all



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2 radio or electronic equipment within the Department of
3 Transport will be under Telecommunication Branch. They
4 are now in charge of the installation and so on of gyro-
5 compasses on our own ships radar, echo sounding machines --
6 Of course, generally speaking, this comes under the
7 Telecommunications Branch of the Department.

8 Q. Nothing to do with you?

9 A. These technicians are located at Quebec
10 under the agent. They work very closely whenever any
11 request is put to them by the District Marine Agent or
12 his representative. Naturally they come by that right
13 away. They don't have to refer to headquarters for that.

14 Q. I am trying to clarify the set-up within
15 the Department as regards the District Marine Agent and
16 telecommunications and I want to know if you are respon-
17 sible for any part of telecommunications in the river?

18 A. No. It exclusively comes under Tele-
19 communications Branch, but as of January, 1964, the
20 mechanical part and the radio beacons will be under the
21 jurisdiction of the District Marine Agent. That means
22 that Telecommunications Branch will be responsible
23 exclusively for the radio and electronic or electrical
24 part of the radio beacons and other equipment.

25 MR. JACQUES: Thank you very much.

26 THE WITNESS: You have spoken considerably
27 of the new Prince Shoal Pier and there is a point I would
28 like to put before the Commission.

29 This is in regard to the speed of ships. As
30 I explained before, we have had considerable difficulties



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2 in building this pier, and a lot of the difficulty came
3 from the swiftness of the current, but lately we have
4 experienced difficulty from ships coming by at too high
5 a speed and we have lodged a complaint with various
6 authorities that ships should reduce speed. Although
7 there is a Notice to Shipping that has been put out this
8 Spring when the operation started, unfortunately, there
9 was damage sustained by the contractor and therefore
10 delaying completion or construction of the pier.

11 MR. JACQUES: Would you know the names of any
12 of the offending ships?

13 THE WITNESS: I haven't got that in front of
14 me here. I think some of the naval ships have been
15 responsible for that. Not necessarily Canadian. And also
16 some larger and deep-draught ships. The names have all
17 been recorded by the contractor, but as you are aware,
18 this is still the responsibility of the contractor to
19 take any action towards the offenders, because the pier
20 hasn't yet been delivered to the Department of Transport.

21 MR. JACQUES: Among the offenders are you
22 able to tell the Commission whether the ships had pilots
23 or did not?

24 THE WITNESS: I was told there were pilots on
25 board.

26 MR. JACQUES: You were told by whom?

27 THE WITNESS: By the Pilotage Office on my
28 request. I requested if, to be informed, if there had
29 been pilots on board, because I needed to make sure the
30 information that there was underwater works being carried



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2 out there was known by the ships.

3 MR. JACQUES: When the structure will be
4 completed, will there be a speed limit?

5 THE WITNESS: No, sir.

6 MR. JACQUES: None at all?

7 THE WITNESS: The reason there is a speed
8 limit now is the same as whenever there are underwater
9 works being carried out this may be affected by the
10 wave created by passage of a ship of deep-draught and
11 at high speed. There is a Notice to Shipping requesting --
12 We can't order ships to slow down, we can only request
13 them to do so. It is up to them, up to the people
14 concerned that have sustained the damage to take the
15 necessary action.

16 MR. JACQUES: Would that be a manned station?

17 THE WITNESS: Yes, sir. There will be at
18 least four keepers.

19 MR. JACQUES: Four?

20 THE WITNESS: Four keepers. I have requested
21 five keepers because of the importance of the situation
22 and also because of the intricacies of the machinery
23 that will be operating.

24 MR. JACQUES: How many keepers on watch at
25 a time? One all the time?

26 THE WITNESS: One all the time, but always
27 three keepers on board.

28 MR. JACQUES: On board the station and one
29 on watch?

30 THE WITNESS: One on at a time.



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2 MR. JACQUES: Out of the three?

3 THE WITNESS: 24 hours a day. And this is
4 in order to allow the keeper to go for provisions and
5 visit his family once in a while, because no family are
6 allowed on board the pier. He has to go for fresh
7 provisions and his own things and it is very, very
8 difficult to go out with a boat, one man on board and
9 return to the pier because of the swiftness of the
10 current and we have decided that at least three keepers,
11 probably four, will stay on the pier most of the time.

12 MR. JACQUES: Will there be a helicopter deck
13 on the structure?

14 THE WITNESS: There is one provided for and
15 we are trying to have a second one placed over the lantern
16 at White Island Pier for the purpose of any emergency
17 calls that would have to be made either by technicians or
18 for medical assistance or any other urgent needs that
19 would require immediate action.

20 MR. JACQUES: I wonder if the Commission would
21 like to have a plan of this structure? Perhaps the
22 witness can supply a copy to be viewed by the Commission
23 and returned to the witness?

24 THE CHAIRMAN: If you could have one filed.

25 THE WITNESS: I must say the complete
26 construction plan is quite thick.

27 MR. JACQUES: We want a sketch showing ---
28 sketch of the structure, general arrangement plan.

29 THE CHAIRMAN: I think we will recess before
30 you have your chance to cross-examine, Mr. Brisset.



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2
3 ---Short Recess.

4
5 ---Following Short Recess.

6
7 THE CHAIRMAN: During the recess there was a
8 special request with regard to coats. I should say the
9 matter has been taken under advisement and you may take
10 off your coats.

11
12 CROSS-EXAMINATION BY MR. BRISSET:

13
14 Q. Capt. Godreau, you have told us that
15 during the period of construction of the new installation
16 of Prince Shoal there has been a Notice to Mariners
17 issued with respect to the speed of ships in the vicinity
18 of the installation. Did that notice specify any speed,
19 state any speed?

20 A. No, sir. It was a Notice to Shipping
21 which is a slightly different thing --- a slight
22 difference between Notice to Shipping and Notice to
23 Mariners. A Notice to Shipping is sent locally, but does
24 not specify any speed; it reads, if I recall, it reads as
25 follows:

26 "During the construction of Prince
27 Shoal Pier there will be underwater works
28 going on and all mariners are requested to
29 reduce their speed when passing the area".

30 Q. Now, do upbound and downbound ships use



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2 the north channel in that vicinity?

3 A. Well, all the ships from the Saguenay,
4 going in and out of the Saguenay, use that area.

5 Q. Ships proceeding downbound from Quebec,
6 do they use the north or south channel?

7 A. Either, sir. It is left at their
8 discretion. It is either one.

9 Q. No regulation specifying one or the
10 other channel should be used?

11 A. No. The governing factor I think is
12 weather and visibility and what the tide --- but I under-
13 stood there is quite a number of ships now using this
14 north channel because of the fact their point of departure
15 after picking up a pilot, on the north shore a few miles
16 down from Saguenay.

17 Q. Normally in good weather downbound
18 ships use the north channel as a rule?

19 A. Yes, I think quite a number, although
20 it is left at the discretion of the master of the ship
21 and the pilot.

22 Q. You have mentioned instances of damage
23 being caused to the installation during the construction
24 period and have also indicated to us whenever such damage
25 occurred the contractor would report to you. Is that what
26 you said?

27 A. Yes, sir. And also have requested we
28 advise the mariners further through broadcasts or --- the
29 practice has been for broadcasts that once an obstruction
30 like that or special instructions or requests to be



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2 permegated to the mariners, but only last for a few days
3 until such time as we are reasonably certain the written
4 Notice to Shipping has reached its destination by mail and
5 they have been notified through reading this Notice to
6 Shipping we cease broadcasting, otherwise the radio
7 coastal station would be swamped with broadcasts to the
8 mariners if we kept them all going. We broadcast this
9 probably two or three days.

10 Q Whenever any such instance of damage
11 has been reported to your office, have you done any
12 investigation or simply contacted the pilotage office to
13 determine whether pilots on board the ships involved?

14 A. Yes, occasionally we have, but then
15 again, sometimes it becomes quite difficult. If these
16 happen at night, for instance, when no ships name can be
17 read and there are several ships in that same area at the
18 same time, consequently it is difficult to determine
19 whether one ship or the other.

20 Q. So it does happen in many cases it was
21 not possible to determine which ship was actually
22 involved?

23 A. In some of the cases, yes, sir.

24 Q. Now, was there any particular step
25 taken to notify pilots except through this Notice to
26 Shipping?

27 A. I personally have telephoned to the
28 pilotage staff in Quebec requesting or drawing the atten-
29 tion of the office or the Superintendent of Pilots, draw-
30 ing their attention to this Notice to Shipping and



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2 expressing our concern over the fact that there was still
3 some ships not taking enough heed to this Notice.

4 Q. Now, Captain, would you give us the
5 characteristics of the aids to navigation that will be
6 installed on Prince Shoal, this pier. What will it give
7 by way of aids to navigation?

8 A. This pier, once it is completed ---
9 first of all, I must say that it is not yet contemplated
10 to place a radio beacon on that station at this time,
11 although if it becomes necessary we will, because provision
12 has been made for that, for the necessary power, the
13 electrical power to operate it. The lantern that will
14 give the light on this Prince Shoal as we believe, it is
15 the most powerful one in North America. In fog, aids to
16 navigation in fog, it is 32,000,000 candle-power; in clear
17 weather it will be 300,000 candle-power.

18 Q. In clear weather, what would be the
19 range of the visibility of that light?

20 A. In clear weather I think it will be
21 approximately 10,000,000.

22 Q. And in foggy weather you expect the
23 light will still be visible for some distance depending
24 on the conditions?

25 A. I think in light fog it should be
26 visible at two miles and depending on the density of the
27 fog it will be reduced accordingly. There will also be
28 a fog alarm, a fog horn. It will emit blasts. There
29 will be two horns, one pointing towards the Saguenay and
30 the other one pointing eastwards to the St. Lawrence.



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2 Q. And what is the range of the horn signal?

3 A. The range of the horn should be heard
4 four or five miles, depending on the weather. As you are
5 aware, a fog horn is considerably, the distance from which
6 it can be heard is considerably governed by weather and
7 wind.

8 Q. This radio beacon that is being consi-
9 dered at the moment will be a big beacon used by ships to
10 determine their position in the river, I take it?

11 A. That is right, sir. It will be used
12 in connection with D.F. That is another electronic
13 apparatus placed in ships and incidentally, we have a
14 radio beacon at Red Island Station which is located
15 close by to this here, and consequently felt it is not
16 necessary to have two at so close a distance.

17 Q. Is there a possibility of taking a
18 cross-bearing?

19 A. A cross-bearing between these two
20 stations would not be very helpful, because the stations
21 are so close together the angle would be so small that
22 perhaps it wouldn't help the mariner very much at any
23 distance. It may help at very close quarters, but probably
24 would be at hearing distance of both fog alarms.

25 Q. Compared to the present installation,
26 the lightship, I take it, Capt. Godreau, that the new
27 installation would provide quite a successful improvement
28 for navigation?

29 A. It definitely will, sir, although as
30 far as the light is concerned and also as far as the fog



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2 alarm ---

3 Q. Insofar as pier is concerned the fact
4 that it is built on land as compared to the situation in
5 the case of the lightship will that constitute an improved
6 bed?

7 A. I don't think that the fact that it is
8 resting on the bottom of the sea will make much difference
9 as to the ship, the lightship which is anchored off there,
10 particularly with this new lightship we have for the
11 past three years. As far as the lightship is concerned it
12 has given very good service and never found to have drifted
13 out of position. If you mean because the lightship may
14 have drifted away from position, I don't think it will be
15 much difference, but again the difference exists as in
16 any other aid to navigation, a floating aid and an aid
17 which is located on the shore is always more reliable than
18 a floating aid, because you are sure it is there in its
19 charted position.

20 Q. And also it will be available earlier in
21 the season to navigators and later than the lightship can
22 be made available?

23 A. Yes. We will not have so much to be
24 concerned with the ice when placing this pier in
25 operation in the Spring, and that is one of the reasons
26 why we have provided for a helicopter. As soon as there
27 is any navigation problem the necessary help can be there
28 immediately.

29 Q. Now, Captain, I understand the waters
30 of the Saguenay are tidal some distance above Chicoutimi?



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ENGLISH

Up to where, approximately? How far above Chicoutimi?

A. A few miles above Chicoutimi. I don't imagine it freezes as far as five or six miles, but diminishes rapidly. It is affected by the tide.

Q. They are tidal around the upper end of the navigational channel in Chicoutimi?

A. We are only concerned as far as the bridge and haven't investigated to the point where the tide appeared.

Q. The waters of course, are tidal in HA HA Bay and in this connection I would like to know approximately when it is passable for an ice-breaker to go up the river in order to break the ice at the beginning of the season.

A. An ice-breaker, sir, can go up to Chicoutimi, to Ha Ha Bay, the type of ice-breaker we have now can come up any time of the year. For practical purposes we open the Saguenay River --- last year we opened the Saguenay River from Tadoussac to Ha Ha Bay in March. The year before I had sent one of the ice-breakers detached from the Seven Islands where she had a few days rest to send her to Ha Ha Bay to see what the type or thickness of the ice would be in January and if it would affect or ease the work performed by the other ice-breakers in the spring of the year when opening the river. Unfortunately, I had to call her out, because there was a rush call for an ice-breaker and she just reached Cape



1 ENGLISH

2 East.

3 She came up and went back and in the Spring
4 when we went back with the regular ice-breaker and the
5 river this track she made could not be seen hardly. It
6 had completely frozen over again and could not be seen
7 and, therefore, it was a lost effort.

8 But in the Spring of the year we start as
9 soon as we can release the main ice-breakers from the
10 gulf or river or when there is no more need for large
11 units to remain up there and small units can take care
12 of the river between Three Rivers and Quebec, Montreal.
13 We bring the heavy unit in the Saguenay. Last year I
14 used two and at one time three, a small one at the mouth
15 of the Saguenay in order to prevent any difficulty a
16 fellow might run into because of the great amount of ice
17 detached by the two units.

18 Q. Once a track is opened by an ice-breaker
19 at the end of the Winter, the channel from Ha-Ha Bay into
20 the St. Lawrence can be kept well open and free enough of
21 ice to permit navigation; am I correct?

22 A. No, sir. Not when a track is made. All
23 the ice has to be removed from the river before navigation
24 can be said to be safe in the Saguenay, because the
25 Saguenay River, being tidal or affected by the tides, any
26 ice that would remain in the river after a track or two
27 tracks made in the centre of the channel would automatically
28 run out of the river detached from rocks, because not
29 fastened there because of the tide and it would drift out
30 in the middle of the river and ships couldn't come up.



1 ENGLISH

2 Therefore, all the ice must have vacated the river before
3 ships come up with safety unless it is an ice-breaker.

4 Q. And how early can this happen normally?

5 A. To date, the earliest we have had the
6 channel open was this past Winter and it was in March.

7 Q. And when you say "open", you mean, of
8 course, there was no more of this ice that could block the
9 channel?

10 A. That is correct. There is another
11 factor that hasn't been experienced yet is the ice that
12 may be coming out of the section of the river between
13 Chicoutimi and Cape East, because we haven't had any ice-
14 breaker there and because of the narrowness of the channel
15 and some of the ships would be affected by it when it
16 goes down river.

17 Q. The matter of a day or two as the ice
18 would drift down channel?

19 A. If we manage to open the Saguenay
20 River in February it wouldn't freeze over provided we
21 keep an ice-breaker stirring the ice up. It wouldn't
22 freeze again and at that time the ice between Chicoutimi
23 and Cape East wouldn't yet have evacuated.

24
25 CROSS-EXAMINATION BY MR. LALONDE:

26
27 Q. The Notice to Shipping which you
28 referred to only made mention requesting a reduction in
29 speed. Is there any particular reason why such notice
30 did not specify a set maximum speed?



1 ENGLISH

2 A. Well, the main reason would be that the
3 waves made by a ship is also, is not necessarily made
4 only by the speed of the ship, but also by her draught.
5 If a heavy draughted ship coming, say, ten or twelve
6 knots probably would make just as heavy a wave or perhaps
7 heavier than a light draught ship at fifteen or eighteen
8 knots, because there is less displacement in the water.

9 Q. On the other hand, in a case like the
10 one you refer to, isn't it probably that the view as to
11 what is a proper reduction of speed will vary between
12 the master of various ships and pilots of various ships?
13 Somebody will think that such a ship running at twelve
14 knots would be a reduction in speed, because she can make
15 eighteen knots, say, and the view that might not affect
16 construction one or two miles away while other people
17 might think it will affect construction.

18 A. The main purpose of the notice is to
19 inform the master of a ship that there is danger of
20 creating damage or doing damage through the waves done
21 by any ship of any type, so the master should know and
22 should act upon this information if he feels he knows
23 what is there; he knows underwater work is going on
24 beyond the depth of the water according to the chart as
25 30, 40, 50 or 100 feet. He knows if he is going to go
26 half a mile or a mile from this particular area and he
27 knows in fact what effect or approximately what effect
28 this may have to this construction or to this pier or
29 whatever the case. It is very difficult to determine
30 generally speaking, that all ships have to slow down to



1 ENGLISH

2 eight knots. I don't think this would be advisable to
3 do that, because it is open there and there is room for
4 a ship to pass at close quarters or to cut a few
5 hundred yards.

6 Q. And you have not provided for any
7 police inspection in that area or a surveillance --- to
8 have either partial or full-time surveillance?

9 A. No, except we have our own men who are
10 supervising the construction and the contractor himself
11 is sort of keeping an eye on the traffic there and he
12 informs us when he feels that this advice is not being
13 taken into consideration by any ships.

14 MR. LANGLOIS: My lord, when we are in
15 Quebec in September, I will file two copies, one in
16 August, 1962, and one the Spring of this year signed by
17 the president of the Pilots' Committee to all pilots in
18 the District recommending their attention to the Notices
19 to Shipping and recommending a maximum speed of nine
20 knots.

21 Q. In the particular instance you refer to,
22 did you make a check whether the weather was bad at the
23 time the damage is reported to have happened? Whether
24 the weather was rough or not?

25 A. No, I have not checked into that, but
26 if I recall the weather was not bad and it was clear.

27 Q. You mean you recall only one incident?

28 A. Two or three, this one is the latest
29 one and the ships were well seen coming up and we were
30 told the weather, there was no indication given that the



1 ENGLISH

2 weather was bad.

3 Q. By the contractor?

4 A. By the contractor, that is correct.

5 Q. There was no indication given by him
6 whether the weather was nice?

7 A. No. As a matter of fact, we haven't
8 inquired into that.

9 MR. LANGLOIS: One of these cases, my lord,
10 is before the courts now.

11 THE CHAIRMAN: When they are reported to you,
12 you report them in return to the Pilotage Authority?

13 THE WITNESS: Yes, sir.

14 MR. BRISSET: The case my friend refers to is
15 between a contractor and a particular ship, not between
16 the Pilotage Authority and a pilot.

17 Q. You refer to two fog horns on the new
18 pier, one for the Saguenay and one for the east. Is there
19 any practical reason why there is not one for the west
20 side for ships downbound?

21 A. When I said east --- the general
22 direction to the St. Lawrence River.

23 Q. It will be directed both sides.

24 A. From the pier it will point, I haven't
25 the exact direction, it will point in the general direc-
26 tion of the St. Lawrence River. There is no provision
27 made for a third one.

28 Q. You mean to say it would be pointed
29 towards Red Island, roughly?

30 A. No, it is outside. I could give the



1 ENGLISH

2 Commission, if you wish the exact direction ---

3 THE CHAIRMAN: South-east direction?

4 THE WITNESS: It will be a south-east direction,
5 yes.

6 MR. JACQUES: Thank you, Mr. Godreau. Might
7 the witness be excused to go back to his duties, my
8 lord?

9 THE CHAIRMAN: Yes. Thank you.

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1 FRENCH

2
3 ALBERT MALTAIS, sworn:

4
5 DIRECT EXAMINATION BY MR. JACQUES:

6
7 Q. Sir, would you give us your name, age
8 and occupation?

9 A. Albert Maltais, Port Manager, ~~Manitowish~~,
10 52 years old.

11 Q. For how long have you been Port Manager?

12 A. For fifteen years.

13 Q. Up to now have you worked for the National
14 Harbours Board?

15 A. No, not before now.

16 Q. You have been Port Manager for fifteen
17 years for Chicoutimi?

18 A. Yes, I have.

19 MR. JACQUES: The question is too long, my
20 lord.

21 THE CHAIRMAN: And with a long question you
22 may make a pause, so it could be translated the first
23 part.

24 Q. We wrote to you on the 10th of July,
25 1963, asking for certain information. And the first
26 question we asked you was the extent or limits of the
27 Harbour of Chicoutimi. Have you prepared the answer to
28 this question, please?

29 A. Yes, I have.

30 Q. Will you please give us the limits of the



1 FRENCH

2 Harbour?

3 A. It is an imaginary line traced between
4 Cape West on the one hand and the, west side, on the east
5 side, I mean. It is about 25 miles from Chicoutimi.

6 Q. The limit west?

7 A. At the western limits an imaginary line
8 traced from Cape West and the River Pelletier.

9 Q. Which is shown on Chart 1202, Exhibit
10 No. 437?

11 A. The eastern limits of the Chicoutimi
12 Harbour.

13 Q. Up to the harbour high tidal mark. And
14 how many miles upstream from the Chicoutimi Bridge?

15 A. Four miles, approximately.

16 Q. The next question is concerned with the
17 silting areas in this part of the harbour.

18 A. A part of the channel between buoys is
19 4S and 6S.

20 MR. LALONDE: On a technical point I am informed
21 that the description, the eastern and western limits, as
22 given, are just the reverse. What has been given as the
23 western limit is the eastern limit.

24 MR. JACQUES: I stand corrected, my lord. My
25 learned friend is quite right. We will correct the
26 record.

27 Q. Would you please mark with a red pencil
28 this particular area on Chart 1209, Exhibit 439?

29 A. (Witness complies)

30 Q. Is the silting taking place in the channel?



1 FRENCH

2 A. Yes, it is.

3 Q. Who is responsible for dredging this
4 area?

5 A. The Department of Transport.

6 Q. Is this the navigation channel?

7 A. Yes, it is the navigation channel, St.
8 Lawrence ship channel.

9 Q. Do you, as Port Manager, have anything to
10 do with dredging this area?

11 A. No, I have not.

12 Q. Are you acquainted with the extent of the
13 silting in this area?

14 A. Very little.

15 Q. The answer was very little. Did you
16 mean I have little information on the subject, or did you
17 mean there was very little silting?

18 A. Very little silting.

19 Q. The fourth question is concerned with
20 recurrence of silting and sedimentation or the cycle of
21 sedimentation.

22 A. Very difficult to define. And the degree
23 of silting and sedimentation is almost non-existent.

24 Q. The fifth question is concerned with
25 maintenance dredging in this area and how much has been
26 necessary during the last two years.

27 A. In 1961, twelve miles, 368 cubic yards.

28 Q. What was the reason for this dredging?

29 A. To deepen the anchorage at the end of
30 Pointe a L'Ilet.



1 FRENCH

2 Q. At the end of Pointe a L'Ilet. Surrounded
3 by red line in Chart 1209.

4 A. In the same year 22,341 cubic yards.

5 Q. For what reason?

6 A. To deepen and clean the part of the
7 channel.

8 Q. Which part of the channel?

9 A. Downstream from the point marked on the
10 chart. In 1962, 52,473 cubic yards to complete the
11 deepening and the cleaning of the channel downstream
12 including the silting between two buoys 4S and 6S.

13 Q. Have you had any complaints from the
14 captains of ships about the silting or from the pilots
15 about the silting ~~that~~ takes place in the Chicoutimi
16 Harbour?

17 A. Yes, we have had complaints.

18 Q. Have you kept a record of these complaints?

19 A. The complaints that we have had have not
20 been specifically about silting. Mostly about the depth
21 and width of the channel which are inadequate.

22 Q. It has been complained about major work,
23 considerable work. This question is about the reason for
24 silting and sedimentation.

25 A. It is mainly due to sand bags which are
26 disturbed by the tides.

27 Q. Have you made any hydrographic studies
28 during the last five years?

29 A. No, I have not.

30 Q. Can you describe the nature, method and



1 FRENCH

2 frequency of information circulars sent directly to ship-
3 owners, shipping agents and pilots?

4 A. There aren't any.

5 Q. Do you exercise any control on the displa-
6 cement of ships within the harbour?

7 A. Yes, we do.

8 Q. What kind of control?

9 A. We see that the vessel speeds are not
10 exceeded.

11 Q. Is this the only control that you make?

12 A. We make sure that navigation aids are in
13 proper position and that all lights are working properly.
14 That is about all.

15 Q. Do shipping use tugs in the Chicoutimi
16 Harbour?

17 A. Ships with ordinary tonnages do not
18 require their services. And when they do need them, they
19 can get their services from Port Alfred in a couple of
20 hours time.

21 Q. Do you use radio-telephones?

22 A. No.

23 Q. Are pilots required to keep security
24 watches?

25 A. No, they are not.

26 Q. Have you kept a list of casualties to
27 port installations? It is going to be kept as an
28 exhibit.

29
30 ---EXHIBIT NO. 601: A chart of the Harbour of Chicoutimi
giving for the last five years a



1 FRENCH

2 resume of the damage caused
3 to the pier by shipping.

4 Q. Is Chicoutimi Harbour represented in
5 marine inquiries?

6 A. I believe so.

7 Q. You only believe so?

8 A. I would like to be able to say so, but it
9 is through the National Harbours Board in Ottawa.

10 Q. Have you a Harbourmaster?

11 A. No, we have not.

12 Q. According to your records, is the docking
13 and undocking from Chicoutimi subject to delays?

14 A. Yes, it is sometimes. It is usually
15 governed by the tide times.

16 Q. Could you inform the Commission the number
17 of vessels coming to Chicoutimi Harbour in any year, and
18 in particular last year?

19 A. In 1962, there were 171.

20 Q. Ships?

21 A. Yes.

22 Q. What would be the total tonnage?

23 A. 408,244.

24 Q. Would you have the total net tonnage?

25 A. 235,000.

26 Q. Are the statistics of former years in-
27 cluded in the statistics provided by the National Harbours
28 Board?

29 A. Yes, they are.

30 Q. What type of ship comes most frequently
to Chicoutimi?



1 FRENCH

2 A. Especially tankers.

3 Q. What size tankers?

4 A. Between 1500 and 4,000 tons.

5 Q. Is that net tonnage?

6 A. Yes, it is.

7 Q. Among the 171 vessels that came here last
8 year, how many tankers were there?

9 A. About 80 to 85%.

10 Q. So the majority of the traffic to
11 Chicoutimi does consist of tankers?

12 A. Yes, it does.

13 MR. JACQUES: The witness is willing to con-
14 tinue in English, my lord, if you wish.

15
16 CROSS-EXAMINATION BY MR. LALONDE:

17 ENGLISH

18 Q. You refer to the speed limit in here.
19 Is there any set speed limit in the harbour?

20 A. Yes, about eight knots, depending as
21 Capt. Godreau told you, depending on the size and the
22 draught.

23 Q. Do you mean to say that ships could go
24 over eight knots in the Chicoutimi Channel?

25 A. I suppose a small yacht could.

26 Q. But large ships you say that the limits
27 is approximately eight knots. Is this a kind of speed
28 limit? What I am asking is whether in your regulations
29 you have a set limit like eight knots; is that it, or just
30 in general terms?



1 ENGLISH

2 A. General terms like every harbour.

3 Q. So you don't have any set limit here like
4 in the Harbour of Quebec, where they have a definite, I
5 think, nine knots?

6 A. No. You know the conditions of the
7 channel are so that ships can't go very fast.

8 Q. But you don't provide yourself for a set
9 limit?

10 A. No.

11 Q. Would you tell me whether you have any
12 control over the size of the ships, or the draught of the
13 ships, either coming in or going out?

14 A. No.

15 Q. You don't exercise any control at all in
16 that respect?

17 A. No.

18 Q. And I think you said you exercised some
19 control in connection with the speed of the vessels. What
20 kind of control do you have? Do you have any police here?

21 A. No, we don't.

22 Q. What kind of control would you exercise?

23 A. Pretty hard to control when it goes too
24 fast. We get some complaints from port residents along-
25 side the river.

26 Q. Did you receive such complaints?

27 A. Not this year.

28 Q. Not this year?

29 A. No.

30 Q. And did you in the past investigate these



1 ENGLISH

2 cases, or did you just write to the ships?

3 A. Bringing the attention of the master and
4 the pilots.

5 Q. And asked them to behave better next time?

6 A. Yes.

7 MR. JACQUES: Thank you.

8 THE CHAIRMAN: At times, the ships are obliged
9 to go as fast as possible in order to go out before the
10 tide goes out?

11 THE WITNESS: No.

12 MR. JACQUES: I note from Chart 1209 which is
13 Exhibit 438, that there are three oil companies in
14 Chicoutimi; is that the correct number?

15 THE WITNESS: Yes, that is right.

16 Q. Chicoutimi oil terminal, Imperial Oil
17 Marine Terminal and Irving Oil?

18 A. Right.

19 Q. When were they built --- would you recall
20 roughly?

21 A. Between ten and five years ago.

22 Q. Between ten and five years ago?

23 A. Yes.

24 Q. And in Chicoutimi itself I see there is
25 one large berth. Would this be the only berth available
26 in Chicoutimi?

27 A. You mean the wharf?

28 Q. Yes?

29 A. That is not a berth. There is room for
30 more than one berth.



1 ENGLISH

2 Q. How many berths would you have at this
3 wharf?

4 A. 2600 feet of wharf, so it depends on the
5 size of the ship, of course. If you have a 500 foot ship
6 you could get five; if longer, you get less.

7 Q. And with the number of ships or the
8 average size of a ship calling at Chicoutimi, how many
9 could you accommodate?

10 A. You mean at the same time? Five or six.

11 Q. Five or six at the same time?

12 A. Yes.

13 Q. The pier or wharves shown on Chart 1209,
14 is this the only wharf under your administration in the
15 Harbour of Chicoutimi?

16 A. Yes. And the terminal, B.P Terminal
17 marked in red.

18 Q. The Chicoutimi Oil Terminal?

19 A. Belongs to us.

20 Q. To the National Harbours Board?

21 A. Yes.

22 Q. And Imperial Oil Marine Terminal does not?

23 A. No, built by Imperial Oil.

24 Q. Private installation?

25 A. And so is Irving.

26 Q. Yes, I believe it is. The wharf which is
27 to the east of the main wharf in Chicoutimi Harbour is
28 it a private wharf or public?

29 A. Public. Belongs to the National Harbours
30 Board. It is the same. It is the end of the big one.



1 ENGLISH

2 Q. So within the limits of Chicoutimi Harbour
3 all the installations are National Harbour Board's
4 installations, except Imperial Oil and Irving Oil?

5 A. That is right.

6 Q. This Chicoutimi Oil terminal was built by
7 National Harbours Board or the dredging done by the
8 Board?

9 A. Done for us by the Department of Transport.

10 Q. Do you know who did dredging for Imperial
11 Oil and Irving Oil?

12 A. They had no dredging.

13 Q. No dredging to do? I see off Imperial
14 Oil Marine Terminal between two buoys there seems to be a
15 space where there was some dredging done?

16 A. I don't recall any dredging going on
17 there.

18 Q. Do you have any authority over the positions
19 of the buoys in the Harbour?

20 A. We work in cooperation with the Marine
21 Agent in Quebec, and if we have complaints from any
22 master or pilot we pass it over to Mr. Godreau in Quebec
23 who sees what should be done.

24 Q. Do you know if any private mooring buoys
25 maintained in the harbour?

26 A. Yes.

27 Q. Maintained at Imperial Oil and Irving Oil?

28 A. By the company themselves.

29 Q. Did they request your permission to install
30 these buoys?



1 ENGLISH

2 A. They did when they installed them in the
3 first place, but now they do it every year.

4 Q. I didn't mean every year.

5 A. When they built the plan they had to have
6 permission.

7 Q. Have you received any complaints over the
8 position of these mooring buoys?

9 A. Yes. We had one from a small yacht as
10 Capt. Godreau told you this morning.

11 MR. JACQUES: Thank you very much.

12
13 CROSS-EXAMINATION BY MR. LALONDE:

14
15 Q. Just two questions to clarify your
16 statement. You stated that the wharf in Chicoutimi was
17 2600 feet long. Is this 2600 feet which can be used by a
18 ship?

19 A. Yes.

20 Q. You are sure of that?

21 A. Yes. I think it is 26.

22 THE CHAIRMAN: "In the National Harbours Board
23 1961 Annual Report we say there, page 38," the Harbour
24 Board includes 2,750 lineal feet and we have provided five
25 berths for ships of 20 feet..."

26 Q. Is that right?

27 A. Yes.

28 Q. And what would be, would you know the size
29 of the longest ship which has come up the channel in the
30 last two years?



1 ENGLISH

2 A. That was last year. I think the ship was--
3 I don't remember the size exactly.

4 Q. You remember the name of the ship?

5 A. She came from Montreal.

6 Q. Canuk Trailer? Is that the one you had in
7 mind?

8 A. That is right.

9 MR. LALONDE: Thank you.

10 THE CHAIRMAN: Have you many questions, Mr.
11 Mason?

12
13 BY MR. MASON:

14
15 Q. Let us say assuming an Imperial Oil
16 vessel comes to an Imperial Oil dock which is private
17 facility, does he pay any dues to the Harbour Board?

18 A. Harbour dues?

19 Q. For what service is he paying?

20 A. For getting into the harbour itself.

21
22 BY MR. BRISSET:

23
24 Q. The tankers that come here come in loaded,
25 I take it?

26 A. Yes.

27 Q. And go out of course, light?

28 A. Yes.

29 Q. What other commodities are shipped into
30 this port? General cargo?



1 ENGLISH

2 A. Yes. Coal and petroleum products.

3 Q. What about cargoes being shipped out, any
4 particular cargo?

5 A. Not very much.

6 Q. You mentioned scrap a little while ago. Is
7 there quite a quantity of scrap shipped?

8 A. One two years ago and one again this year
9 we expect.

10 Q. One ship every two years?

11 A. That is right, going out.

12 Q. What is maximum draught of a ship leaving
13 Chicoutimi? At what maximum draught can she go out,
14 approximately, of course, on high tide?

15 A. On high tide?

16 Q. Yes?

17 A. 25 feet. You see, the minimum depth of
18 the channel is 16 feet. If you add a 20-foot tide or 18
19 foot tide, it makes it 34, so that 25 foot draught ship
20 can go out or in easily.

21 Q. So a ship with a draught of 25 feet can
22 manage out of the harbour downriver without difficulty?

23 A. It can.

24 Q. Do you have a turning basin in the harbour?

25 A. Yes.

26 Q. Located at the upper reach of the harbour?

27 A. Alongside the big wharf there.

28 Q. What is the width of that basin?

29 A. 750 feet.

30 Q. Has it been dredged recently?



1 ENGLISH

2 A. Not recently.

3 Q. No complaint?

4 A. It was sounded last year and no refilling.

5 Q. What is the length of the basin? You said
6 the width was 750?

7 A. About 3,000 feet, 2,700 feet.

8
9 BY MR. LANGLOIS:

10
11 Q. Just to give more detail on the answer
12 you just gave to Mr. Brisset, on the largest ship to use
13 your channel coming up to Chicoutimi, when you say the
14 ship can go with a draught of 25 feet --- I think you
15 said ---- you mean there would be enough water in the
16 channel for that ship?

17 A. Yes.

18 Q. You don't necessarily mean that that
19 ship could negotiate the sharp curve that you have in
20 your channel?

21 A. Of course, that depends on the length of
22 the ship.

23 Q. Of course.

24 THE CHAIRMAN: I think we will have a recess
25 for lunch now.

26
27
28 ---Luncheon Adjournment until 2:30 p.m.
29
30



C A N A D A

COMMISSION ROYALE D'ENQUETE SUR LE PILOTAGE MARITIME.

PRESENTS: L' HONORABLE YVES BERNIER, J.C.S.,
Président

Monsieur ROBERT K. SMITH, c.r., commissaire,
Monsieur HAROLD A. RENWICK, commissaire,
Monsieur GILBERT NADEAU, secrétaire.

Me MAURICE JACQUES,
procureur de la Commission:

Me MARC LALONDE, c.r.,
procureur de la Fédération des Pilotes du St-Laurent,
procureur de la Corporation des Pilotes du Bas St-Laurent,
procureur de la Corporation des Pilotes du St-Laurent Central,
procureur de la Corporation des Pilotes du Port de Montréal,
procureur de la Corporation des Pilotes du Fleuve et de la
Voie Maritime du St-Laurent,
procureur de la Corporation des Pilotes du Haut St-Laurent:

Me LEOPOLD LANGLOIS, c.r.,
produreur de la Canadian Merchant Service Guild:

Me J. MAHONEY,
procureur de la Dominion Marine Association:

Me JEAN BRISSET, c.r.,
procureur de la Fédération des Armateurs du Canada:

Me R. MACGILLIVRAY,
procureur du Ministère des Transports:

VOLUME 54 - Page 1,779 à 1,788

TEXTE FRANCAIS - SEANCE TENUE A CHICOUTIMI,
le 29 juillet 1963.



C A N A D A

COMMISSION ROYALE D'ENQUETE SUR LE PILOTAGE MARITIME.

PRESENTS: L'HONORABLE YVES BERNIER, J.C.S.,
Président

Monsieur ROBERT K. SMITH, c.r., commissaire,
Monsieur HAROLD A. RENWICK, commissaire.

Le vingt-neuvième jour de juillet,
l'an mil neuf cent soixante et trois, à CHICOUTIMI:

LE PRESIDENT:

Je crois qu'à part le maître du
port, nous sommes toutes les mêmes
personnes que nous avons vues à
Québec et à Montréal, et qui nous
ont suivi un peu partout.

Alors, je ne ferai pas tous les
commentaires habituels que je fais
pour vous dire ce qu'est la Commis-
sion.

Surtout, nous allons essayer d'évi-
ter le plus possible des délais,
et nous allons nous en tenir au
stricte minimum, avec la température
qu'il fait aujourd'hui.



1
2 Je veux tout simplement dire en
3 autant que je suis concerné, et il
4 me fait plaisir de revenir ici à
5 Chicoutimi; c'était justement le
6 district où j'étais avant d'entrer
7 sur la Commission, et j'ai siégé ici
8 de septembre à décembre inclusivement;
9 je me suis senti, hier, pas mal chez
10 moi quand je suis arrivé.

11 Me MARC LALONDE, c.r.,
12 pour la Féd. des Pilotes du St-Laurent:
13 Votre Seigneurie, on a demandé à mes
14 clients de produire, si je ne m'abuse,
15 lors de l'ajournement de vendredi,
16 certains documents se rapportant à
17 l'Association des Pilotes Licenciés
18 pour le havre de Québec et en aval.

19
20 Je crois comprendre que les pilotes
21 ont eu une entrevue avec le conseil-
22 ler juridique de la Commission,
23 samedi, lorsqu'il a visité les lieux,
24 et celui-ci a déclaré ne pas requérir
25 les documents aujourd'hui, il en a
26 pris connaissance suffisamment à
27 l'époque, et qu'il suffirait de
28 déposer ces documents en septembre.
29 Je n'ai pas ces documents ici.
30



ALBERT MALTAIS -

INTERROGE par Me MAURICE JACQUES,
pour la Commission:

Q Voulez-vous nous donner vos nom et
prénom au complet, et votre âge, s'il vous plaît?

R Albert Maltais, 52 ans, gérant du
port.

Q Et depuis combien de temps êtes-vous
gérant du port?

R 15 ans.

Q Antérieurement, est-ce que vous
travailliez pour le Conseil des Ports Nationaux?

R Non.

Q Et vous êtes gérant du port de
Chicoutimi depuis 15 ans?

R Oui.

Q Nous vous avons écrit, le dix (10)
juillet mil neuf cent soixante-trois (1963), vous deman-
dant de préparer certaines informations pour la Com-
mission. La première question que nous vous posions
était l'étendue ou les limites du port de Chicoutimi.
Est-ce que vous avez préparé la réponse à cette
question?

R Oui.

Q Alors, voulez-vous nous donner
ces limites, s'il vous plaît?

R Oui, d'abord, c'est selon une
ligne imaginaire tracée entre le Cap ouest et la rivière



1
2 Pelletier à l'ouest.

3 Q Commencez avec la partie ouest, les
4 limites ouest?

5 R Une ligne imaginaire tracée entre
6 le Cap à l'ouest et la rivière Pelletier.

7 Q Qui est démontrée sur la carte 1,202,
8 pièce 437. Est-ce que c'est ça?

9 R Oui.

10 Q Maintenant, les limites est du port
11 de Chicoutimi?

12 R Jusqu'au point de marée.

13 Q Et ça se situe à combien de milles
14 en amont du pont de Ste-Anne à Chicoutimi?

15 R A peu près quatre milles.

16 Q La deuxième question était les
17 endroits ou lieux d'ensablement ou d'envasement.

18 R Une partie du chenal située entre
19 les bouées 4 S et 6 S. Je les ai ici.

20 Q Est-ce que vous voulez indiquer
21 cet endroit sur la carte 1,209, pièce 438, au moyen
22 d'un crayon rouge?

23 R

24 Q Est-ce que l'ensablement qui se fait à
25 cet endroit se fait dans le chenal?

26 R Oui.

27 Q Qui s'occupe du draguage de cet
28 endroit?

29 R Le département du Transport.

30 Q Est-ce que ça serait l'autorité du



- 1
- 2 R Et la même année: 22,341 verges
- 3 cubes.
- 4 Q A quelles fins?
- 5 R Pour l'approfondissement et le
- 6 nettoyage d'une partie du chenal.
- 7 Q Quelle partie du chenal?
- 8 R En aval du point mentionné sur la
- 9 carte.
- 10
- 11 Maintenant, en mil neuf cent soixante-
- 12 deux (1962): 52,473, pour compléter l'approfondissement
- 13 et le nettoyage du chenal en aval, y compris l'ensable-
- 14 ment entre les bouées 4 S et 6S.
- 15 Q Est-ce que vous avez eu des plaintes
- 16 de la part des capitaines de navires ou des pilotes
- 17 sur l'ensablement qui se fait dans le port de Chicoutimi?
- 18 R Oui, il y a des plaintes - il y en
- 19 a tout le temps.
- 20 Q Est-ce que vous avez des records de
- 21 ces plaintes?
- 22 R Voici: les plaintes qu'on a eues
- 23 ne sont pas spécifiques pour l'ensablement; mais
- 24 simplement à propos de la profondeur et la largeur du
- 25 chenal qui ne sont pas suffisantes.
- 26 Q Alors, il s'agit de plaintes sur
- 27 des travaux de nature capitale?
- 28 R Oui.
- 29 Q La sixième question est la source
- 30 ou cause de l'envasement ou de sédimentation?



1
2 R C'est surtout dû à l'existence des
3 battures de sable qui sont agitées par les marées et
4 les vents.

5 Q Est-ce que vous avez fait des études
6 ou des expertises hydrauliques au cours des cinq
7 dernières années?

8 R Non.

9 Q Est-ce que vous pouvez décrire la
10 nature de l'étendue et la méthode de communication
11 de renseignements des activités du port aux armateurs
12 et pilotes?

13 R Il n'y en a pas.

14 Q Est-ce que vous exercez un contrôle
15 quelconque sur le mouvement des navires dans le port?

16 R Oui.

17 Q De quelle nature?

18 R On voit à ce que les vitesses ne
19 soient pas dépassées.

20 Q Est-ce que c'est le seul contrôle
21 que vous exercez?

22 R Non, voici: On s'occupe en général
23 de voir si les aides à la navigation sont en place,
24 les lumières fonctionnent proprement. C'est tout.

25 Q Est-ce que les navires utilisent les
26 remorqueurs dans le port de Chicoutimi?

27 R Pour les bateaux de tonnage normal,
28 ils n'en ont pas besoin; et quand ils en ont besoin,
29 ils peuvent en avoir de Port Alfred sur une couple
30 d'heures d'avis.



1
2 Q Est-ce que vous faites usage de
3 radio-téléphone?

4 R Non.

5 Q Est-ce que les pilotes sont appelés
6 à garder ce qui s'appelle des "security watches"?

7 R Non.

8 Q Est-ce que vous auriez préparé une
9 liste d'accidents aux installations portuaires?

10 R

11 Q Qu'il plaise à la Commission, je
12 voudrais déposer comme pièce 601, un document du port
13 de Chicoutimi donnant pour les cinq dernières années
14 un exposé des dommages causés au quai par les navires?

15 R

16 Q Est-ce que le port de Chicoutimi
17 est représenté lors d'enquêtes maritimes?

18 R Je crois que oui.

19 Q Vous croyez que oui, uniquement?

20 R Bien, voici: Je pourrais dire:
21 oui, mais c'est par le Conseil des Ports Nationaux à
22 Ottawa.

23 Q Est-ce que vous avez un capitaine
24 de port?

25 R Non.

26 Q Suivant les informations que vous
27 avez dans votre dossier, est-ce que l'opération d'accos-
28 tage ou de départ des navires du port de Chicoutimi
29 se fait avec des retards?

30 R Ca arrive quelquefois, mais c'est



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TORONTO, ONTARIO

A. MALTAIS
Com. Enquête
EX. - 1,787 -

1
2 ordinairement dû par 1'heure de la marée.

3 Q Est-ce que vous pourriez dire à la
4 Commission le nombre de navires qui viennent à Chi-
5 coutimi à chaque année, particulièrement l'an dernier?

6 R En mil neuf cent soixante-deux
7 (1963), il en est venu 171.

8 Q Navires?

9 R Oui.

10 Q Qui donnent un total de combien de
11 tonnes de cargos?

12 R Cargos: 408,244 tonnes.

13 Q Est-ce que vous auriez aussi le total
14 du tonnage net de ces navires?

15 R 235,000.

16 Q Est-ce que les statistiques pour
17 les années antérieures sont incluses dans les statis-
18 tiques générales du Conseil des Ports Nationaux?

19 R Oui.

20 Q Quel genre de navires viennent le
21 plus souvent à Chicoutimi?

22 R Surtout des pétroliers.

23 Q Des pétroliers de quelle grosseur
24 environ?

25 R Entre 1,500 et 4,000 tonnes.

26 Q Tonnage net?

27 R Net.

28 Q Parmi les 171 navires qui sont venus
29 ici l'an dernier, il y avait combien de pétroliers?

30 R 80 à 85 pour cent.



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TORONTO, ONTARIO

A. MALTAIS
Com. Enquête
EX. - 1,788 -

1
2 Q Alors, le gros du trafic à Chicoutimi,
3 c'est: des pétroliers?

4 R Oui.

5 (La suite du témoignage est rendu
6 en anglais.)
7
8

9 Je, soussigné, sténographe officiel,
10 étant dûment assermenté, certifie
11 par les présentes que la déposition
12 ci-dessus est la transcription exacte
13 et fidèle de mes notes sténographi-
14 ques.
15

16 G. OSCAR BOISJOLY
17 Sténographe Officiel.
18
19
20
21
22
23
24
25
26
27
28
29
30



--- Upon resuming at 2.30 p.m.

MICHEL DUSSAULT, sworn

DIRECT EXAMINATION BY MR. JACQUES:

Q. Would you state your full name and age, please?

A. M. Dussault, thirty-six.

Q. Your occupation?

A. I am a pilot in the Quebec District.

Q. And I believe you are also Examiner of Masters and Mates?

A. Yes.

Q. And how long have you been an Examiner?

A. Five years.

Q. And I also believe that you have a certificate of competency as master of foreign going ships?

A. That is right.

Q. When were you granted that certificate?

A. 1958.

Q. And previous to 1958 would you briefly relate your experience at sea?

A. I went to sea in 1942. I acquired my first certificate in January, 1946. Between 1946 and up to the time I became a pilot in early 1958 I sailed either as an officer on the ship or as master, two years



1
2 prior to becoming a pilot.

3 Q. As master for two years?

4 A. Yes.

5 Q. And what types of ships did you sail
6 as a master?

7 A. On various vessels, some as small as
8 400 tons net and some as large as 2,000 tons net.

9 Q. And where did you trade?

10 A. Various waters. Up in Hudson Bay,
11 James Bay, East Coast of Canada, the States, West Indies,
12 South America.

13 Q. And on the St. Lawrence River?

14 A. I did.

15 Q. Did you serve an apprenticeship on the
16 St. Lawrence River?

17 A. I did.

18 MR. LALONDE: Would both persons speak a
19 little bit louder, please.

20 Q. I believe you are familiar with the
21 Saguenay River, particularly with the stretch from St.
22 Fulgence to Chicoutimi?

23 A. Correct.

24 Q. How many trips did you make last year
25 right up to Chicoutimi?

26 A. Right up to Chicoutimi --- I don't
27 remember off hand. But two or three full trips. Up
28 and down about six times.

29 Q. Six times up and down the channel?

30 A. Approximately.



1
2 Q. And this year, would you recall how
3 many trips to Chicoutimi?

4 A. So far this year, up once and down once.

5 Q. Now, sir, we shall limit ourselves to
6 the entrance to the Saguenay River and the Saguenay
7 River to Chicoutimi.

8 As a pilot taking a ship up the Saguenay
9 River what difficulties would you encounter at the
10 entrance of the Saguenay River?

11 A. The main difficulties I would say would
12 be with the currents. You have to be very careful with
13 them especially at the turn of the tide. About an hour
14 and a half before the change of the tide to an hour and
15 a half afterwards, when currents are in the making. You
16 get eddys and it is very hard even for an experienced
17 man to know how to get set. A lot depends on prevailing
18 wind in the preceding days and some, of course, depends
19 on the ship her ship, her speed and manoeuvrability and
20 draught. But the currents will be the big thing at the
21 entrance.

22 Q. I refer you to chart 1203, filed as
23 exhibit 436, and that is the entrance to the Saguenay
24 River. You mentioned that the currents are dangerous
25 one and a half hours before the change of the tide until
26 one and a half hours after the change of the tide; that
27 is correct?

28 A. I didn't say "dangerous", sir. I said
29 this is when you have to be most careful because the set
30 is more uncertain. When the current is well made, you



1
2 know, with experience, ebb will be in a certain way and
3 the flood in a different way. It is pretty well by
4 experience. But on the change of the tides I would say
5 this way or that way and you have to be even more care-
6 ful.

7 Q. So during a period of about three hours
8 spanning the change of the tide the currents would be
9 uncertain?

10 A. That is right. In either direction,
11 and speed and velocity ---

12 Q. And what would be the speed of the
13 currents that you would encounter?

14 A. Up to four or five knots on the change,
15 and it might run to seven or eight knots on spring.

16 Q. When the current is well made, what is
17 its direction?

18 A. In and out on an angle to the channel.
19 On ebb it is outgoing tide, more of an angle going down-
20 stream to the St. Lawrence River.

21 Q. When you refer to ---

22 A. Setting east.

23 Q. Eastward?

24 A. Little more eastward.

25 Q. And what angle would it form with the
26 centre of the channel?

27 A. If you are acquainted with the St.
28 Lawrence, the tide would sort of set you down across the
29 river something like twenty degrees.

30 Q. Chart 1203, entrance of the Saguenay



1
2 River, could you give the Commission the direction again
3 experienced on the ebb tide when the current is made
4 completely?

5 A. If you want a full description, it is
6 complicated because throughout every tidal stream the
7 current will naturally turn right around the clock.

8 Q. Let us limit ourselves to when the
9 current is settled down.

10 A. Roughly, let us say, in a direction
11 somewhere around sixty degrees true.

12 Q. 060.

13 A. Approximately that, I would say.

14 Q. And what course would you follow to
15 enter the Saguenay?

16 A. There is a set of ranges there when
17 you are, and set 275 true, but it is again very seldom
18 a ship could come in on this course. You have to adjust
19 it depending on the course of the tide coming in or
20 going out, and speed of the ship and draught. It is all
21 affected by these things.

22 Q. What angle, true course of the range
23 and current --- you said you would steer range 275 true
24 and current running 060 true?

25 A. From experience I would say, with an
26 average cargo ship, loaded, coming in the Saguenay,
27 have to give as much as ten or fifteen degrees leeway
28 to currents.

29 Q. I was asking the angle which would
30 form, flow.. of the current and range would form?



1

2 A. Twenty degrees as I said on the flood
3 tide.

4 Q. So you would have a current of twenty
5 degrees on one bow?

6 THE CHAIRMAN: Have to compensate by the
7 same amount.

8 THE WITNESS: May I complete this statement?

9 We are just on the outside of the entrance.
10 The more you approach to Pointe Noire the current is
11 more even.

12 Q. At the outer buoys you would have
13 current twenty degrees on each bow?

14 A. Coming in ebb stream on port bow.

15 Q. Hitting the port bow. So in order to
16 counteract the current you alter your course to port.
17 And you say you have to give as much as ten or fifteen
18 degrees leeway?

19 A. This would be essentially right. In
20 practice very few pilots come in right on the light.
21 Will make buoy 94 -- by making buoy 94 you counteract
22 it at the same time.

23 Q. Would you circle in red buoy 94?

24 A. Buoy 94 is one off Vaches.

25 Q. And you say when going in on an ebb
26 tide and the current reaches full force and settled down,
27 you would make Vaches, buoy 94, when going upstream?

28 A. That is right.

29 Q. And would you tell us what course you
30 would follow from Escoumaines?



1
2 A. Depending where a ship is waiting for
3 us to board her. An average course between 205-215 true,
4 depending how far off shore the ship is when we board.
5 We will decide our course at Les Escoumaines to make
6 Vaches a distance of half a mile going in on an average
7 course 215, 213 and depending on the speed of the ship
8 and prevailing wind, draught. You decide a few degrees
9 either way; you try to make Vaches, oh, about one half
10 mile would be quite safe.

11 Q. When you say you are going to make
12 Vaches, does it mean you are steering for that buoy?

13 A. Keep well into starboard bow because
14 want to make it one half hour off ----

15 Q. Wouldn't set a course for the light
16 ship?

17 A. Coming into the Saguenay --- the light
18 vessel very sharp into my port bow.

19 Q. Do you use the light vessel to fix your
20 position?

21 A. Yes, sir, extensively, and would keep
22 following 213. Gives you a very good idea where you
23 are coming in; if you have any near vessels; or
24 distance off various points of land.

25 Q. Coming in you wouldn't make the light
26 ship, you would make buoy 94?

27 A. No use going one and a half miles out
28 to come back in.

29 Q. When you reach buoy 94 what course
30 would you follow?



1
2 A. You are changing course gradually.

3 May I point out here you have to be careful due to
4 currents and eddys. You have to be careful not to change
5 course too rapidly or too sharply in case your stern,
6 so the ship doesn't get caught and you have time, it will
7 turn back and look you in the face. You alter course
8 gradually until we have ranges of Pointe Noire open a
9 bit on our side of the channel.

10 Q. When you say "the ranges of Pointe
11 Nore open a little bit on your side of the channel", I
12 refer you to lines drawn from Pointe Noire ranges to the
13 letter "C", and position of the light ship coming in.

14 On what side of that line would you keep?

15 A. Starboard side of that line coming in.

16 Q. North of that?

17 A. That is right.

18 Q. That is what you meant by keeping the
19 ranges open?

20 A. That is right.

21 Q. And you also mentioned you have to be
22 very careful that the current does not catch the stern
23 of the vessel?

24 A. Or the bow. I mentioned these altera-
25 tions of course. In all currents of the Saguenay you
26 have fairly sharp and large alterations of course which
27 have to be done gradually not to give alterations of
28 course fifty or sixty degrees to the wheelsman, who
29 doesn't know what is happening. The current will get
30 the ship in the bow or stern and make it turn around and



1 FRENCH

2 some ships don't have enough power to get back on course.
3 You must be careful and alter it very gradually, ten
4 degrees at a time or something.

5 Q. Do you recall any ship ever grounding
6 in Vaches?

7 A. I have heard of some but it is hearsay.

8 Q. You have heard of ships grounding at
9 Vaches?

10 A. In the last two or three hundred years.
11 I have never seen any and I have not grounded any, but
12 it is hearsay.

13 Q. These groundings to which you refer,
14 would they date a few years back?

15 A. I should say so, sir.

16 Q. How many years, approximately?

17 A. I couldn't tell you. I have been more
18 or less sailing out of here twenty years and don't know
19 anybody gone aground in my experience as an apprentice
20 and as pilot.

21 Q. And how many years is your experience
22 as an apprentice and as pilot?

23 A. Eleven years.

24 Q. We have listed Vaches, and on the
25 range to Pointe Noire what course would you follow?

26 A. Well, you would have again to start
27 altering course slightly the minute you pass Bar Reef.
28 That is half way from the light ship to the entrance,
29 probably it is the narrowest gap in the entrance, one
30 half mile wide, nautical miles, and the buoy there and



1 from there on use --- Coming more into the entrance
2 of the river the course would be 283 true.

3 Q. And would you indicate Bow Reef on the
4 chart?

5 A. There is a buoy marked here, 95B.

6 Q. Buoy 95B, right on the edge of the
7 shoal. It marks Bow Reef to which you have referred and
8 you say the entrance is about half a mile.

9 A. Not at just that spot, but later on
10 it is. All this thing keeps on going. It is right
11 beside there you have the narrowest part again.

12 Q. Would you indicate the narrowest part
13 of the channel in red? And you would say it is half a
14 mile? And once you have gone through this narrowest
15 part, indicated by two red lines in chart 1203, what
16 current would you experience at some stage of the tide?

17 A. From there on it would be more in the
18 general direction of the river. More or less parallel
19 with the sides. You pass the crucial point there.

20 Q. How would you proceed when you would
21 take a ship in from Les Escoumaines at the critical
22 stage of the tide and the currents are doubtful?

23 A. Just ask for that much more attention
24 to the steering and the weather. I would advise the
25 master or alter the watch --- if on a foreign vessel
26 where a foreign master might be liable to misunderstand
27 my orders to stand by and make sure the orders are
28 carried out quickly and wheel orders well understood and
29 use more caution.
30



1 P. 1001

2 Q. You say you use more caution. What
3 measures, you stated some measures you would use, what
4 other precautions?

5 A. Usual good seaman or mariners by the
6 time I come aboard if they have not cleared their anchor
7 I make sure they would be up before I get there.

8 Q. When you give wheel orders you use
9 what is known as the naval system, stating to the quarter-
10 master the angle at which you wish the rudder placed?

11 A. No. I advise the officer or quarter-
12 master direct of the course I want steered or which way
13 I want the wheel to be and I would hear hard over,
14 easy or certain measures like this, but not by angle of
15 rudder.

16 Q. Would you use "port a little" or
17 "starboard a little"?

18 A. I think any good wheelsman if they
19 get order of little would use five degrees of rudder to
20 start and if not enough it is usual for the pilot to
21 say "a little more".

22 Q. Is it often that you have to correct
23 a judgment of the wheelsman?

24 A. Not very often because I here you tell
25 him a little more or if gone a little too much you tell
26 him to bring her back.

27 Q. Would this be the method you would use
28 entering the Saguenay River?

29 A. I would, sir.

30 Q. If the ship were coming up from Quebec



1 ~~QUESTION~~

2 approaching and making the Saguenay River, what course
3 would you follow at the same stage of the tide, not the
4 crutial stage?

5 A. If flood there would be a change.

6 Q. On the ebb?

7 A. On the ebb go right around the light
8 vessel, make it quite close, turning the ship very
9 quickly.

10 Q. On what side of the light vessel would
11 you turn? Would you turn south or north of the light
12 vessel?

13 A. What do you mean by "south"? I would
14 be south.

15 Q. South is this end of the chart
16 (indicating), and this is the north (indicating).

17 A. Here or here or like this. I would go
18 right around the light vessel so nobody is mistaken.

19 Q. So you would go north of the light
20 vessel?

21 A. Yes, if this is what you mean by north.

22 Q. And why would you do that?

23 A. Because the ebb stream if I go south,
24 the ebb stream at the light vessel --- it might be
25 dangerous.

26 Q. And coming in from the light vessel
27 what course would you follow?

28 A. Just about revert to what I had told
29 you earlier, travelling here again on my side of the
30 channel, keeping the ranges well open to the right.



1 FRENCH

2 Q. After coming up from Quebec you arrive
3 at the Saguenay at the critical stage of the tide and
4 I always mean the period of time when the currents are
5 doubtful ---

6 A. I would use the same principle because
7 by going north I would have more room to manoeuvre.

8 Q. Would you still yield the precautions
9 you mentioned?

10 A. Yes.

11 Q. If the tide is flooding instead of
12 ebbing?

13 A. Coming down from Quebec, if the tide
14 is well made to the flood I might just go in between
15 91B buoy and the light vessel. There is plenty of space
16 to do it, and the tide is well set and no danger for a
17 man who knows the place.

18 Q. What current would you experience in
19 the vicinity of the light ship?

20 A. In strength?

21 Q. Yes.

22 A. It would vary a lot but you could have
23 a maximum current there if you have a north or north-
24 easterly wind up to at least six knots on full flood,
25 very strong. If an easterly wind, it is very much to
26 be guarded against.

27 Q. If approaching from Les Escoumaines
28 on a flood tide what procedure would you follow, what
29 course would you follow?

30 A. Very much as I described before, but



1 MR. HUGH

2 I would like to pass a little further off Vaches buoy.
3 Again, if it is blowing an easterly wind before a flood
4 it would have a tendency to bring me in shore and for
5 half a mile of buoy 94 I might do three-quarters or a
6 mile to give myself a little more space in case the
7 current is strong.

8 Q. Now, sir, you must be familiar with
9 chart 1203?

10 A. Yes, sir.

11 Q. Have you had occasion to use this for
12 navigational purposes; not this particular one, but a
13 chart of this number?

14 A. Lately, as a pilot?

15 Q. As a pilot, yes?

16 A. I consult the chart every time -- I
17 never consult it in practice when working since a pilot,
18 I do it by memory and personal knowledge.

19 Q. When you were an apprentice did you
20 consult this chart?

21 A. I tried to have a photograph of it in
22 my memory.

23 Q. I dare say you studied it quite well?

24 A. I did.

25 Q. In your actual experience since you
26 have been a pilot, would you care to comment on the
27 accuracy of the currents shown on this chart?

28 A. They are quite sketchy I would say
29 that much. Generally speaking they are very well indi-
30 cated. I think the information provided showing direction



1 and speed are quite good.

2 Q. When you say "good", what do you mean,
3 accurate?

4 A. Quite accurate I would say. Could have
5 been a little more. Like my first comment there, there
6 isn't too much done about current but what is shown is
7 quite accurate.

8 Q. I refer you now to the contents. Have
9 you consulted the tidal current table?

10 A. Yes, sir, we do. As there again, there
11 is some of this shown on the chart I found it to be
12 fairly accurate, but there I would add a word of caution
13 that I think should have been, mariners should know and
14 pilots, by experience, the prevailing wind in this area
15 might affect the speed or velocity of the tide a bit
16 more and absolutely no indication shown on the chart to
17 the mariners.

18 Q. This chart shows a small circle inside
19 of each is a number, one, two, and next to that a small
20 circle, around the tidal currents table which provide
21 rows, A, B, C, D and E.

22 Would you explain these to the Commission?

23 A. These are to help mariners --- all
24 those interested in finding the direction and velocity
25 of tidal currents at the different spots according to
26 high or low water at the reference point for these
27 places or in connection with timetables and these little
28 clock arrangements here you should have a fair idea what
29 direction and velocity the current at that particular
30



1
2 point is, at that particular time.

3 Q. In your experience have you found this
4 information accurate?

5 A. Yes, sir.

6 Q. You have?

7 A. I believe this is the result of many
8 years, not many years, of many hours of research, and
9 it is quite good.

10 Q. Now, sir, if we may continue, you
11 mentioned that once you have entered the Saguenay River
12 --- I would say once you have passed buoy 95-1/2B ---
13 that you would consider that you were inside the river?

14 A. Yes. It even looks more like the
15 Saguenay in depth. You fall into deep waters of the
16 Saguenay and it seems to straighten up the current
17 somewhat.

18 Q. Explain what currents you encounter
19 in the Saguenay River at any stage of the tide?

20 A. It depends on some prevailing winds;
21 if it is on springs or leaps, it depends also what time
22 of the year. You take from early in the spring we have
23 a freshet which would affect the tidal currents quite a
24 bit. You have a very much stronger height than usual.

25 Q. Would it affect its direction?

26 A. No, sir, not the ebb, possibly very
27 little. I would say not even on the flood. It would
28 change velocity but not direction.

29 Q. What are the maximum and minimum
30 velocities of flood?



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A. It would vary again. I would say with spring and leaps the maximum of flood would be out right at the entrance of the Saguenay, maybe, oh, five to six knots.

Q. And the remainder of the Saguenay?

A. Diminish as you go up there. The flood is quite weak in the upper reaches.

Q. And the ebb?

A. Stronger right through the Saguenay because the natural current of the river also exists and with an ebb it would be stronger.

Q. And what maximums and minimums?

A. At the entrance I would say, oh, on ebb would be an average spring of at least seven knots, and personal experience a little more on various conditions, and upper reaches of the Saguenay.

Q. It diminishes up river?

A. Yes.

Q. How do you obtain these velocities?

A. How do I?

Q. Yes

A. By learning what has been done before me by the person that makes research and tidal surveys and serving my apprenticeship.

Q. You use timetables and charts?

A. Yes. Various tidal publications have been put out by surveys made by St. Lawrence Ship Channel Division. And with personal experience, when serving apprenticeship. You have a ship with average draught



1 FRENCH:

2 and a certain distance and it takes different times for
3 you to make it on several occasions. It gives you good
4 personal knowledge.

5 Q. How accurate would your measurements
6 be?

7 A. For practical purposes they are good.

8 Q. Be accurate within two or three knots?

9 A. Easily, yes. One and a half to two
10 knots.

11 Q. Would you experience any cross currents
12 up the Saguenay River, and if you wish, we shall limit
13 ourselves to Bagotville up to there. Would you
14 experience cross currents?

15 A. If you are always keeping in mind the
16 parallel shores of the Saguenay I would say no such thing
17 as really cross currents, but in the Saguenay many
18 changes occur in the river while they are not cross
19 currents. The currents themselves curve with the river
20 and must be all managed with precaution at some places
21 like Pointe aux Crepes.

22 Q. You said ----

23 A. Sacre Coeur.

24 Q. You have mentioned these two places
25 that you would have to use special precautions, I believe?

26 A. It is an example of some of the curves,
27 curves in the Saguenay River. That place there is a
28 very sharp change of course.

29 Q. And what is the angle?

30 A. Well, usually on the average going up



1 ~~FRENCH~~:

2 would be 338 and change from that to about 285 true.
3 Be something like 53 to 55 degrees change of course,
4 which is very sharp.

5 Q. How would you negotiate that on flood
6 tide?

7 A. Have to exercise special caution with
8 a low powered ship, well loaded, because it has a
9 tendency to catch you in the stern.

10 Q. Flood tide would have a tendency to
11 catch you in the stern?

12 A. And to keep her turning right around
13 if you manoeuvred too fast or too sharp it will turn your
14 stern ten degrees at a time so you must keep a sharp
15 eye on the vessel.

16 Q. To negotiate that bend where would you
17 place your vessel in relation to mid channel line?

18 A. At all times in the Saguenay I am on
19 the starboard side of the middle line of the channel, or
20 middle line of the river if you like. Well on my side
21 on flood tide on the beam of the white light to start
22 and keep coming in most instances it is easier to make
23 changes of course five or ten degrees at a time.

24 Q. You would not have to move to the port-
25 side of the channel to negotiate the bend?

26 A. Not necessarily. There is a dangerous
27 practice that is done by many small vessels, coasters
28 especially, to cut that point and this is one of the
29 things where pilots have had close shaves with these
30 vessels.



1 FRENCH:

2 Q. Explain why it is a dangerous practice?

3 A. If it happens you have very little
4 space you don't see the other ship coming down and more
5 or less hidden from him and if start to negotiate it
6 sharply the fellow coming here has no space off starboard
7 and it may spell disaster.

8 Q. Why?

9 A. It is not good practice, a narrow
10 channel.

11 Q. With an ebb tide at Pointe aux Crepes,
12 why would going to port be a dangerous manoeuvre?

13 A. That is not the way. You put me in a
14 position coming down with this ship, suppose you wanted
15 me here to cut the corner more or less.

16 Q. You are indicating a figure, a land
17 point close to Pointe aux Crepes?

18 A. Right. I must be close to that if you
19 want me to cut the corner. It would be very dangerous.
20 Suppose the other ship coming down when he crosses my
21 bow go to port or I would have to be very quick to the
22 starboard wheel, and as you know, very close quarters,
23 this makes for a possible accident.

24 Q. I see. And coming around this point
25 again on the flood tide you would not find it necessary
26 at any time to move over to the port hand side of the
27 channel to negotiate the bend, regardless of traffic?

28 A. I don't say you have to be right along-
29 side the rock on the starboard hand, but just right in
30 the middle of the channel is a safe position and gives



1
2 you plenty of manoeuvrability.

3 Q. And the current is not that strong
4 you would have no room to manoeuvre?

5 A. If you are doing it the way I explained
6 here, no. Coming up the right hand side and turn to
7 port to negotiate the sharp bend and the current is hitt-
8 ing you in the port quarter and have a tendency to turn
9 you around or trying to stay at 282, or thereabouts.

10 Q. If you made the turn?

11 A. If you had been on the wrong side you
12 would be much closer to these rocks and have less time.

13 Q. If you stay on the starboard hand side
14 of the channel line while negotiating the bend the
15 current is not that strong that you have to have more
16 manoeuvring room?

17 A. Not if you do it well. If you start
18 in plenty of time you have plenty of space.

19 Q. To go around the bend?

20 A. If you start in time.

21 Q. Is it the worse bend of the river?

22 A. The sharpest and most pronounced one,
23 yes. That is not counting the Chicoutimi channel.

24 Q. And if the tide were ebbing and you
25 were going up river what problems would you encounter?

26 A. At the same place?

27 Q. Anywhere, what particular problem would
28 you encounter?

29 A. Well, of course, the speed of your
30 ship would be diminished by that much, it would mean if



1
2 very low powered vessel you have to be careful not to
3 turn too quickly. Again to be on the wrong side of the
4 channel, just keep well to your own side of the channel,
5 figuring it out as you go along. To start with you give
6 as little degrees leeway as required to keep in the
7 proper position for starting negotiating ---

8 Q. On an ebb tide what manoeuvring would
9 you do?

10 A. Port again, and a little more wheel
11 to counteract the effect of the current hitting on the
12 port bow. It depends on the manoeuvrability of the
13 vessel and her speed. With the current, if spring, you
14 might find yourself short of manoeuvring room there.

15 Q. Would the problems be similar to coming
16 down river? Just about the same problem with flood
17 as with ebb?

18 A. Right.

19 Q. And would be as flood?

20 A. Right. With, of course, some small
21 changes.

22 Q. Are there any anchorages anywhere
23 around the Saguenay River between the entrance and
24 Bagotville?

25 A. There are some types of anchorages.
26 It all depends what, it has very few really safe anchor-
27 ages where the depth of water is not too deep. From
28 Pointe Noire on we have places where ships anchor in the
29 fall to wait for clearing weather or on the tail of
30 Red Island but in the Saguenay proper there is a basin



1 we can anchor in at Tadoussac Bay.

2 Q. Would you indicate that in red?

3 A Q. Fairly good anchorage for ships just
4 before the Saguenay River off Pointe Noire, twenty or
5 twenty-five fathoms of water. And before that also
6 anchorage right across from the other side of the entrance
7 to the Saguenay in Tadoussac Bay, less water, seventeen
8 fathoms there.

9 Q. Would those anchorages be safe anchor-
10 ages?

11 A. I would say so, especially at Tadoussac.
12 Only with this point to make, there is not too much
13 manoeuvring room but good holding ground and quite safe
14 anchorage.

15 Q. What is the nature of the bottom?

16 A. Sand, gravel and some rock.

17 Q. And the Bay?

18 A. In Tadoussac Bay mostly sand and gravel
19 and very good.

20 Q. Would the depth enable you to anchor
21 your vessel safely?

22 A. Yes. Seventeen fathoms is quite adequate.

23 Q. If you reduce the depth do you reduce the
24 safety of anchorage?

25 A. Yes, especially if the slope decreasing
26 quite fast, in the river the slope is quite accentuated.

27 Q. Coming up from Pointe Noire would you
28 have any other anchorages?

29 A. Yes, half way between La Boule and
30 Pte Crepes light. You shouldn't call it shallow really



1 because it has 40 fathoms of water, a mile or mile and
2 a quarter in length in the river where you have around
3 40 fathoms of water the holding ground is not very good.

4 The currents are very swift on ebb tide but
5 sometimes you have no choice because it is the only thing
6 in that part of the river.

7 Q. Indicate that in red? And what is the next
8 one up river?

9 A. As some people call it Anse St. Etienne
10 right next to it and close on to your port hand coming
11 up is an anchorage. I don't consider it safe by ex-
12 perience. You must come very, very close to the shore
13 and the slope is very accentuated and if ebb tide with a
14 westerly wind, the current is likely to drag you off and
15 put you in dire difficulties.

16 Q. Have you been able to work out a relation-
17 ship between wind and increase in the velocity of the
18 current? Have you figured out if you have a wind of
19 certain velocity from a certain direction the effect it
20 would have on the tide?

21 A. I think it is very hard to evaluate and in
22 my experience and personal knowledge, I wouldn't say the
23 velocity at a given time would effect so much tidal
24 stream or current as prevailing winds over a prolonged
25 period before.

26 I would be more worried about three or four
27 days moderate wind from the same direction than a stronger
28 recent wind at the time of coming up. I think it is
29 a matter of building up in body of water.

30 Q. And your next anchorage?



1 A. Coming up after Anse St. Etienne which is
2 not too good I would say that the one of fairly small
3 space at Ile St. Louis, 30 or 35 fathoms of water. While
4 not the very best anchorage, it is one of the better
5 ones in the Saguenay.

6 Q. How many miles from the anchorage at Tad-
7 oussac and Pte. Noire to the anchorage half way between
8 La Boule and Pte Crepes?

9 A. Average 7 miles.

10 Q. And from that anchorage to the anchorage
11 at Ile St. Louis?

12 A. About $6\frac{1}{2}$ or 7 miles again.

13 Q. And what is the next anchorage from Ile
14 St. Louis?

15 A. Anse St. Jean which is a very marked bay
16 about $5\frac{1}{2}$ miles up and west and right at the bottom of
17 the bay. It looks very bad but has been used many times
18 by pilots in the past.

19 While it isn't perfect, it is the best
20 available and used with caution and local knowledge it is
21 all right. Very close in shore.

22 Q. What local knowledge would you require?

23 A. To know that the water can be very deep
24 nearly right to the last minute. A mariner not careful,
25 even at half speed would be ashore before he is
26 anchored.

27 Q. Is it not indicated on the chart?

28 A. It is, but I found from personal experience
29 that you had to proceed into the anchorage at low
30 steerageway, with 3 to 4 shackles in the water and as



1 English

2 soon as the anchor touches bottom, stop and pay off.

3 Q. And the next anchorage from there?

4 A. In this case again very close to the
5 beach and right at the bottom of Baie Eternite where
6 the same thing is applicable as Anse St. Jean in about
7 30 fathoms of water and close in shore you could anchor
8 if necessary.

9 Q. And what is the distance from St. Jean
10 to Baie Eternite?

11 A. Something like close to ten miles.

12 Q. And from Bay Eternity up river?

13 A. You don't really find anything until
14 the bottom of Ha-Ha Bay.

15 Q. And how many miles from Bay Eternity
16 to Ha-Ha Bay?

17 A. About twenty-two miles.

18 Q. So the longest distance you would have
19 to run between anchorages would be twenty-two miles?

20 A. That is right.

21 Q. What is the speed of the majority of
22 your ships to-day?

23 A. Oh, my God, an average speed?

24 Q. The speed of the majority of the ships?

25 A. The ones I get lately in the Saguenay
26 have been less than ten knots. Speaking from my personal
27 experience of this year.

28 Q. And last year?

29 A. The average, twelve or thirteen knots.

30 Q. Have you ever docked ships at Port Alfred?



1 A. Yes.

2 Q. Bagotville?

3 A. Bagotville, no, sir.

4 Q. Would you describe roughly speaking if
5 you wish the number of docks available at Port Alfred?

6 A. Port Alfred which we use, ships that
7 are --- that do employ pilots are all berthed at wharfs
8 owned by the Saguenay Terminal. They are called Duncan
9 Wharf. There is one inside of the wharf with length
10 of 950 feet and 30 feet in width at low water is avail-
11 able, and with two shipping berths, for two deep sea
12 vessels and at Powell on one side, one and two, it would
13 extend a little over a thousand feet with 31 feet of
14 water alongside at low water, number one and two ---
15 couple of hundred feet --- you could take a ship and
16 three, which is more or less right across from Duncan
17 Wharf on Powell Wharf and then number four which is a
18 bad state of disrepair and only used for ships laid up
19 and waiting for cargo; but not working cargo.

20 Q. On insert on chart 1202, indicating
21 letter "D", Duncan Wharf. And letter "P", Powell Wharf.

22 A. These two wharfs which I spoke about
23 are about the only two that we bring ships to. I would
24 say occasionally, maybe once or twice a year, I have
25 never done so, but bring a ship to Bagotville Wharf
26 for repairs which is a government owned wharf in the
27 bottom of the bay and which is used by C.P.L. steamers
28 in the summer season.

29 Q. Indicated by letter "B" on insert and
30 privately owned wharf by Consolidated Paper across from



1 Powell Wharf.

2 Q. Privately owned and we never go, it is
3 for pulpwood and used by small schooners and local
4 coasters only.

5 Q. What sort of manoeuvres do you do to
6 dock a ship at Duncan Wharf or Powell Wharf?

7 A. They are very good wharfs, fairly
8 easy to make except with an easterly or north-easterly
9 wind where the manoeuvring becomes quite tricky and with
10 a ship in ballast with high structure it might be dangerous.

11 Q. Do you have tugs available?

12 A. Yes and we use them at times, but even so
13 the tugs can only push you so much into place and if you
14 have a lot of manoeuvring room it is quite safe to put a
15 ship at No. 2 and you desire space at No. 1 and have to
16 work; you have them on the shoulder and in order to push
17 or turn you on and off the wharf you use your engines
18 to go in and out but still with fairly moderate or strong
19 north easterly wind you have to use caution.

20 Q. To the best of your knowledge, how many
21 accidents have happened at Powell Dock or Wharf docking
22 with a north easterly wind?

23 A. Again it would be hearsay, sir. I can't
24 answer that question except in my own case with spring
25 north easterly wind I caught an anchor and threw a
26 couple of pilings out. In all my years that is the only
27 thing and I can't speak for anybody else.

28 Q. Was your anchor stowed?

29 A. It was.

30 Q. And the ship light or loaded?



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A. Half loaded, small vessel, and no water, and very much below dock herself. The bridge was just about even with the dock. Very small channel sized freighters before the Seaway.

Q. And that is the only accident which happened to you?

A. At that place that north easterly wind and didn't have tugs at the time of the accident.

Q. Have you heard of accidents happening there?

A. Yes, I have heard.

Q. You have heard of accidents? And what you have heard, would it indicate that many accidents



1 [REDACTED]

2 seem to happen?

3 A. May I ask you to define what you mean
4 by "many"?

5 Q. Three a year, or three ----

6 A. It would indicate how many happened
7 in a year?

8 MR. LALONDE: My lord, the Commission counsel
9 has produced other expert witnesses in this connection.

10
11 THE CHAIRMAN: It was the harbour of
12 Chicoutimi.

13 MR. LALONDE: I was suggesting this informa-
14 tion could be much more readily available through the
15 Harbour Master at Port Alfred.

16 THE CHAIRMAN: If there is one.

17 MR. JACQUES: I might explain what I wish
18 to obtain from this witness. I am not asking for
19 accurate information on accidents. I am asking for the
20 general background of ships docking and undocking in
21 this particular place, whether it is a place which has
22 a reputation for seeing many accidents happen every year
23 or a place which has a reputation of being fairly clear
24 of accidents, except on rare occasions.

25 THE WITNESS: As I said, it is very good
26 for an experienced pilot or man. The only thing where
27 extra precautions, which might be dangerous for un-
28 experienced men is with prevailing easterly or north-
29 easterly winds. When the wharfs are --- there are no
30 other obstructions --- they are quite easy an access,



1 ~~THE CHAIRMAN:~~

2 and the manoeuvre turns out very well and fairly easy.

3 Q. What is the construction of these
4 wharfs, cement wharfs or what?

5 A. Concrete and wood. They seem to be
6 quite a mixture of building materials there. Some have
7 concrete with plankings and steel.

8 Q. Provided with fenders?

9 A. Some of them have fenders in the water.

10 Q. As regard the pier itself, do you have
11 difficulty coming alongside?

12 A. No.

13 Q. Coming up to Chicoutimi?

14 THE CHAIRMAN: Do you have many questions?

15 MR. JACQUES: Yes.

16 THE CHAIRMAN: We will recess for a few
17 minutes.

18

19 --- Short recess

20

21 Q. You said that you sailed as master
22 for two years?

23 A. Off and on for two years.

24 Q. What ships did you sail?

25 A. A small coastal vessel here and up
26 James Bay and Hudson Bay and a vessel which was about
27 2,000 tons or close to it, net. And I was master of a
28 tanker, coastal tanker, 1,500 tons and another tanker
29 of about 2,000 tons.

30 Q. And where did you trade on these tankers?



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A. St. Lawrence River, on the east coast of Canada, and West Indies and various islands of the Gulf of Mexico.

Q. On what part of the St. Lawrence River did you trade?

A. With tankers always straight down river.

Q. From where?

A. Montreal, load in Montreal.

Q. Did you have pilots?

A. No, sir.

Q. Why not?

A. Well, at the time there were small Canadian ships and it was more or less the understanding that was part of the job. You got the job if you did the piloting --- the master did the piloting.

Q. The master did the piloting on those ships?

A. The master or one of the officers that was qualified to do it.

Q. Do these ships now take pilots?

A. Well, yes. Two of these ships are non-existent anymore, and one of them is still running and does employ a pilot on the St. Lawrence.

Q. If we may come back to the Saguenay River, would you explain the difficulties which you would encounter coming up from, up to Chicoutimi from Bagotville? Start at the entrance of the dredged channel.

A. The dredged channel which exists at the end of the deep water of the Saguenay River, up to



1
2 Chicoutimi Harbour, or come along the wharf here, is
3 eight nautical miles in length. It is dredged, man-made
4 dredged channel, 250 feet in width. It is increased to
5 350 feet in the curves. It is buoyed. There are seven
6 different courses in the channel. They are all fitted
7 with directional ranges which are lit at night and there
8 again this demands caution because of the fairly small
9 width of the channel, very restricted navigation space
10 and might have to meet ships in that channel. You have
11 to pass very close to some installations a little below
12 Chicoutimi which, I believe, are, where extreme caution
13 must be used if a ship at these installation.

14 Q. Do you refer to Chicoutimi Oil Terminal
15 on chart 1209?

16 A. Right. That is one and Imperial Oil
17 Marine Terminal and just above that belongs to Irving
18 Oil. I believe at these places if you are bringing a
19 vessel to Chicoutimi, and a ship approaches, you must
20 pass very close to it. If she is discharging oil in
21 oil connections, you must reduce speed and you may lose
22 manoeuvrability and the various currents there, and it
23 must be done with the utmost caution.

24 Q. When you come to Chicoutimi, where do
25 you dock the ship?

26 A. This ship, took it to the Imperial Oil
27 Marine Terminal.

28 Q. And last year?

29 A. Last year, if I remember, sir, both
30 of them right up to the main wharf.



1
2 Q. Right up to the main wharf. And those
3 ships which you took to the main wharf, what tonnage were
4 they?

5 A. Now, I might be mixed up in the names
6 of the previous years, one was the Sea Transport. I would
7 say -- 25-23, 3,000 tons net. Net tonnage, 2,000.

8 Q. And what was your length, approximately?

9 A. 300 feet.

10 Q. And your draught?

11 A. Loaded, drawing around 22 feet.

12 Q. 22 feet. And when this year you took
13 a ship to the Imperial Oil dock, was there a ship tied
14 up at another oil terminal?

15 A. No.

16 Q. And last year when you took ships right
17 up to Chicoutimi, was there any ship at the Chicoutimi,
18 Imperial Oil or Irving Oil Terminal?

19 A. Last year at one time it was some
20 instance when I took the Sea Transport, but when I came
21 up the oil transport was discharging at the berth.

22 Q. How would the current run in this
23 channel?

24 A. Well, starting from the entrance on the
25 first range there it is fairly --- might be a small angle
26 with the channel --- it is not excessive and could be
27 very well managed with precaution. On the other hand,
28 on the second range, the current is average right across
29 and up or down depending on the flood or ebb. Maybe not
30 right ninety degree angle but forty to fifty degree angle,



1
2 and very safe set with ebb tide, and must be very care-
3 ful. It is a 250 foot wide channel and no water right
4 outside of the channel. The current is very swift and
5 might send you right across at Valin range ---
6 use much caution and the next one if fair except when
7 freshet in the spring. This discharges quite an amount
8 of water which has a tendency to push you south of the
9 channel, and you must be very careful of it. The rest
10 of it is not too bad, but, of course, I guess once you
11 start meeting at the Oil Terminals and reduction in
12 speed not to affect ships --- you must, of course, use
13 quite a lot of caution and take it very easy.

14 MR. JACQUES: Thank you, sir.

15 My lord, I hope this witness will be made
16 available when we next sit in Quebec.

17 MR. LANGLOIS: My lord, the witness certainly
18 will be available.

19
20 CROSS-EXAMINATION BY MR. LALONDE:

21
22 Q. Captain Dussault, you gave detailed
23 explanations of the way ships would come into the
24 Saguenay. Is there any particular difficulty when there
25 is fog in entering the river?

26 A. Of course, there is fog, at any time
27 it is one of the seaman's worst enemies and it adds to
28 the difficulties at the entrance especially, as I
29 mentioned, on the turns of the tide.

30 Let us put it this way: if I did not have



1
2 a very good, properly operating radar, I would not
3 attempt the entrance of the Saguenay, at least, until I
4 was at the end of my rope to do it. Without radar in
5 fog I would not attempt the entrance of the Saguenay.

6 Q. Do you have ships which do not have
7 radar at all or properly working sometimes?

8 A. Several ships which are not even
9 equipped with radar.

10 Q. Do they come up the Saguenay River?

11 A. Yes, some do, and there is several
12 ships which we board that their radar is not working or
13 not working properly.

14 Q. You have had experience of that?

15 A. Personal experience on several occasions.

16 Q. If it is foggy and the radar is not
17 working properly or you have no radar, you will just
18 anchor?

19 A. I would proceed to safe anchorage on
20 the south shore of the river or tail of Red Island bank
21 or off the entrance of the Saguenay where there is quite
22 safe anchorages.

23 Q. There was evidence this morning that
24 there was a fog horn aboard the light ship. Are you
25 satisfied with the operation of this fog horn? Can you
26 hear it properly?

27 A. Well, no sir, satisfied is not the
28 word. I would feel that improvements should be made on
29 this fog horn, improvements in such a way we should hear
30 them whichever way the light ship happened to be sitting



1 FRENCH:

2 with the tide. As it is set now you might hear it very
3 well if the light ship happened to be sitting ---
4 whether by weather, wind or current it is the direction,
5 you experience added difficulties and I believe improve-
6 ments could be made on the fog horn.

7 THE CHAIRMAN: This would be corrected with
8 a set station. The direction of the horn would always
9 be the same direction.

10 THE WITNESS: Yes, sir, but may I add a word.
11 Captain Godreau mentioned there would be up and down
12 horns and don't think it would be extra expense to have
13 three horns --- one directly towards the entrance of the
14 Saguenay River, and one pointing to sea, and one pointing
15 up to the north side. That wouldn't be much added
16 expense and have three horns in three navigational
17 directions.

18 Q. You gave evidence again this morning
19 there would be two horns.

20 A. I did.

21 Q. And you felt, as far as you are con-
22 cerned, you would be better serviced with three horns?

23 A. Let us put it this way: with two horns
24 will be an improvement on the one we have now, but a
25 better improvement, while they are just building this
26 in, to have three in the three main directions --- up
27 the river to Saguenay, going to sea, and going towards
28 Quebec. I believe it is a very small expense involved.

29 THE CHAIRMAN: If you consider this to be
30 an improvement that should be made, representations will



1

2 be made.

3 THE WITNESS: I hope so, sir.

4 THE CHAIRMAN: Study it first and then
5 representations can be made if necessary.

6 Q. At the present time are there instances
7 where you get right close to the light ship without
8 having heard the fog horn first?

9 A. Yes, sir. This happens. I have had
10 personal experience. Of course, as Captain Godreau said
11 this morning, the fog horn is a tempermental affair
12 sometimes you hear miles away and lose it for quite a
13 distance until you get very close to it, and even
14 dangerously close. It is very tempermental and by having
15 two or three, would be an added measure, more chance of
16 hearing it.

17 Q. You also gave evidence about anchorages
18 on the Saguenay River. Would you consider those various
19 anchorages you mentioned as recommendable anchorages?

20 A. No, sir. As I did point out to counsel
21 of the Commission these anchorages are just sort of last
22 measure affairs. If you have to use an anchorage no
23 seaman considers them safe because of the deep water
24 anchorage and always the possibility of a vessel getting
25 off it, and also it is very, very close to shore, which
26 gives you very limited swinging room for the vessel and
27 limited manoeuvring room in case it starts to turn.
28 They are anchorages, but last measures in case you can't
29 do anything else.

30 Q. You mentioned anchorages in Ha-Ha Bay,



1
2 I understand.

3 A. I did not say anything about anchorages.
4 I said the next anchorage would be up in Ha-Ha Bay.

5 Q. Do you consider it good anchorage?

6 A. I do not. You must anchor off Ha-Ha
7 Bay. It is in deep water. I think in the records there
8 will be found several numbers of vessels when wind
9 started to freshet had to leave anchorages and cruise
10 for hours up and down river or come up to a better
11 anchorage spot.

12 Q. St. Fulgence would be a safe anchorage?

13 A. Let us say much better.

14 Q. Would it be considered by you the best
15 anchorage further up from Tadoussac?

16 A. Yes, sir.

17 Q. At the same time, I understand this
18 St. Fulgence entrance would be pretty well out of the
19 way sometimes?

20 A. It would be, sir.

21 Q. Is that why you said sometimes we have
22 to cruise on the river if too much wind?

23 A. If required to dock in a short period
24 of time and like to have it available not to lose speed
25 we keep ships moving up and down close to Port Alfred.

26 Q. Suppose you have engine trouble, or
27 failure going up and down the river, how do you cope with
28 the situation? Have you heard of pilots having that
29 trouble?
30



1 ENGLISH:

2 A. Yes, sir. I suppose the best thing to
3 do would be either to keep the ship parallel with the
4 river's natural stream, in the centre as much as possible,
5 to give you room to drift one way and another and hope
6 for the best. A very good thing to do is run about three
7 shackles on one cable and hope the anchor will grip on one
8 side before you hit rock.

9 Q. You talk about the river for ships
10 coming up but what about a ship going down, a light ship
11 going down. Do you experience serious difficulties
12 with light ships going down river because of currents or
13 winds or for any particular trouble?

14 A. I would say there again the usual
15 precautions must be kept if you have a very light ship
16 like after discharging a full cargo here and bound up
17 river. They don't appear to put any ballast for 10,000
18 tons, but where a vessel is drawing ten or thirteen feet I
19 must and have to exercise great caution.

20 Q. You mean to say you have ships not taking
21 any ballast when leaving from Chicoutimi or Port Alfred?

22 A. From the draughts that are given to us
23 sometimes from Port Alfred it would be up river for
24 further loading operations when you don't seem to have
25 much of it if draught is thirteen feet for big ships.

26 Q. You mean the draught of thirteen feet
27 approximately, I understand, is this the deepest draught
28 of the ship? What would be the draught?

29 A I mentioned thirteen because the last
30 ship from Port Alfred up river drew something like seven
feet forward and thirteen feet aft and a vessel of



1

2

4,000 ton net ----

3

4

Q. Did you experience any particular difficulty with it?

5

6

A. Except for fog outside of the Saguenay River.

7

8

Q. Do you have fog at the entrance of the Saguenay often?

9

10

11

12

13

A. Very often. I couldn't give you a percentage figure but during the latter part of June, July and August and the beginning of September you are bound to encounter fog there for many days at a time and several occasions ---

14

15

16

Q. Do you get it there more often than you get it elsewhere in the Quebec Pilotage District?

17

18

19

20

21

A. I would say so, in and around the Saguenay River.

22

23

24

25

26

Q. You also mentioned a certain difficulty concerning Port aux Croix. Do pilots have particular problems especially at night in that area? Are you aware of accidents occurring in that area?

27

28

29

30

A. No, but I refer again to what I mentioned to the Commission counsel; ships not using pilots more so have a tendency of cutting off that dangerous corner and putting us in a very awkward and dangerous and difficult position.

Q. Do you encounter peculiar or particular problems on very dark nights in that area?

A. All through the Saguenay on very dark nights it is a little more caution, you just don't seem



1
2 to distinguish between the bottom of the capes and the
3 beginning of the water and it again is a position for
4 added precaution.

5 THE CHAIRMAN: This is a similar situation to
6 the one we met in British Columbia of the channels on
7 the West Coast.

8 THE WITNESS: This happens here quite often.
9 It is one big dark sheet there and don't see where the
10 water ends and rocks start.

11 Q. Did you ever experience bore at Port
12 Alfred?

13 A. This is a much discussed problem even
14 with mariners or mariners which are very used to this
15 port. I have not personally ever felt any effects from
16 it but some pilots that have more experience than I have---
17 they say it would have to be guarded against especially
18 on springs and at the beginning of the flood tide.

19 Q. What does the witness mean by bore?

20 A. It is more or less a single momentary
21 surge in the velocity of the current and also direction.
22 A great amount of water coming all of a sudden and affects
23 you very adversely.

24 THE CHAIRMAN: Is it aba is French?

25 MR. LALONDE: I don't know.

26 Q. Do you find oil installations along
27 the Saguenay River are adequate?

28 A. No, sir. As I mentioned before to the
29 Commission's counsel I feel that three --- when I
30 mentioned three installations, my estimation might be



1
2 adequate for people using them continuously perhaps, but
3 from a seaman's or mariner's point of view it might be
4 a security risk. Let us put it this way: ships dis-
5 charging petroleum products, highly explosives, dangerous
6 to itself and other ships that have to come very
7 close, right by the channel side, and it is only 250
8 feet and can't be thousands of feet away. You must keep
9 steerage way and if going with the ebb tide must have
10 steerage way and speed of the current and that would add
11 to the security risk.

12 Q. I understand ships engaged in the
13 Chicoutimi channel pretty well have to go up as far as
14 Chicoutimi to turn around?

15 A. In most instances I would say this is
16 the case. In a few instances we have turned ships around
17 right at these berths, but I can tell you from personal
18 experience you have to turn very quickly in there. The
19 usual practice and the safest way is to go right up to
20 the Chicoutimi turning basin and turn them in here.

21 Q. There was an exhibit produced this
22 morning which listed three minor accidents in Chicoutimi
23 Harbour and all of them included, deal with breaking
24 away.

25 Explain to me why this would be the type of
26 accident to occur in this particular harbour?

27 A. Yes. Of course, I wasn't there when
28 it happened, but most of them caused by this most
29 peculiar way to get out of the berth here in Chicoutimi.
30 You must let go everything forward and be aft in the



1 FRENCH

2 channel and get that spring current to turn around. You
3 must be quick on the engine the minute she is ninety
4 degrees from the wharf. You have arranged all lines
5 and have officers and men stationed by, and slip this
6 mooring very, very fast, and they must make sure the man
7 with the axe is ready because if you don't slip fast
8 enough you must cut it with an axe and the minute you
9 are clear and the propellor is clear you have to be
10 careful not to get them caught on her stern and get out.

11 Q. You mean you leave stern first?

12 A. No, stern is made fast to the shore
13 when the bow comes to the current and the current catches
14 her, she goes very, very fast and the minute she is just
15 about ninety degrees with the river you must be ready
16 to slip around and it is, of course, full ahead and hard
17 astern. And if you don't do it that is the result ---
18 these three accidents.

19 Q. Has it happened they had to use the
20 axe once in a while?

21 A. Not in my opinion. I have done this
22 a few times and have been lucky enough to go out all right.

23 Q. What about ice on the Saguenay River?
24 You come here in winter time?

25 A. No, sir.

26 Q. Port Alfred, do you come up?

27 A. No, sir. Unless I am mistaken the
28 last trip I made up the Saguenay River as a pilot was in
29 the first days of December, two or three years back.
30 That would be the last one and a little bit of ice coming



1 PRINCH

2 in Ha-Ha Bay itself and the rest quite clear, and in the
3 spring, have come up fairly early but never encountered
4 anything.

5 Q. Do pilots take ships to Chicoutimi
6 some times in the fall after the buoys are taken off?

7 A. That is hearsay. I have heard, but
8 never have done it myself.

9 Q. Is there a problem about anchoring
10 ships at the entrance of the Saguenay especially in
11 connection with light ships over there?

12 A. I have mentioned previously this after-
13 noon to the counsel this anchorage on Rocky Patch.
14 It is only about a mile off the light vessel, sometimes
15 even few ships would get on together at that anchorage
16 waiting for the weather to clear at the entrance of the
17 Saguenay, and might be three vessels in with pilots and
18 have construction work going on there and even a ship
19 equipped with radar, it makes quite a busy picture in
20 the radar screen around that place, and if a man would
21 misunderstand a pilot, sometimes to be doing two or three
22 jobs --- looking in the radar, pilotage and trying to
23 have a look outside, and with all these things, a man
24 might make an error in judgment and these things being
25 close on the radar screen.

26 Q. Did you participate in the discussions
27 among your group of pilots which ended in a request for
28 Raycon or Raymark system on the light ship?

29 A. I did. The committee in Quebec of which
30 I am a member discussed this thing and we did make some



1
2 request to the Department. I couldn't tell you exactly
3 to whom it was addressed. I didn't read the letter to
4 entertain this idea of trying out Raycon or Raymark,
5 whichever more appropriate.

6 THE CHAIRMAN: You could provide information
7 on this point?

8 MR. LALONDE: We will provide a copy of
9 letter sent to Ottawa, my lord.

10 Q. Could you explain now what is meant by
11 Raycon and Raymark?

12 MR. JACQUES: Before the witness answers,
13 I was going to say Captain Slocombe, nautical adviser,
14 and myself made plans to get detailed information on this
15 in Montreal, but if the witness is competent to explain
16 it I have no objection. He should be able to explain
17 the differences between the two systems.

18 THE WITNESS: I am not an electronic engineer.
19 These are two new systems used in connection with radar
20 equipped vessels. Raycon is sort of --- is triggered
21 off by your own radar --- by ships using radar.

22
23 Raycon just sort of helps you to identify
24 on your radar screen either by some special marks or
25 some such system, helps you to identify properly that one
26 special object out of others, so if Raycon system was
27 installed in the light vessel with a ship coming up close,
28 with many things all close together and which is light
29 vessel is doubtful, you would identify it if equipped
30 with Raycon. I understand from what I have learned there



1
2 are a few other things to this. It could be triggered
3 by another ship close to you and using radar on the same
4 frequency. On the other hand, Raymark is another and
5 used in connection with your radar and gives a direction-
6 al line on the radar screen like a bearing.

7 Q. Something like D.S.?

8 A. And this would also help you to keep
9 a bearing on the proper object. You know if the light
10 vessel equipped with Raymark you have a line coming out
11 of that vessel and you can easily identify it and have
12 a bearing on the radar screen.

13 I believe Raymark would be more appropriate
14 and less confusing.

15 Q. I see. In a related aspect what does
16 your experience about radio communications in the
17 Saguenay River tell you?

18 A. I would say just about nil in the
19 Saguenay proper between high cliff and mountains radio
20 communication is, you can't count on it, just about
21 zero.

22 Q. To your knowledge has this been the
23 experience of other pilots too?

24 A. I believe so.

25 Q. What are your comments in respect to
26 the VHF system installed recently? Has this proved
27 useful?

28 A. I have on occasions used it about two
29 or three times since installed on vessels with VHF
30 radio telephone and every time it worked good. Every



1. ~~QUESTION:~~

2 time at close range it worked very good. A straight
3 line and no mountains in between.

4 THE CHAIRMAN: In a straight line with open
5 water?

6 THE WITNESS: That is right. To their office,
7 but it did work good then.

8 Q. I notice that on the maps, charts of
9 the Saguenay River, which are before the Commission as an
10 exhibit, there is a note to the effect that:

11 "Compasses subject to local magnetic
12 disturbances."

13 A. All mariners using the Saguenay must
14 exercise care because if your ship is not equipped with
15 a properly working gyro-compass you must check your
16 course very often. You have to guard very much against
17 the magnetism. If you have only a magnetic compass you
18 must exercise caution.

19 Q. Could one say fairly that in the
20 Saguenay River a magnetic compass would not be reliable?

21 A. Let us say if you had no means of
22 checking it it would not be reliable. In dense fog,
23 if in clear weather you could check it, but still I would
24 say unreliable if no possible means of checking it.

25 Q. This magnetism, do you encounter it
26 much more here than in the Quebec District?

27 A. Yes, sir. More pronounced in the
28 Saguenay than elsewhere. In the St. Lawrence where it
29 is felt at times it is no where as strong or as often as
30 in the Saguenay.



1 FRENCH:

2 Q. Now, were you in the Board of Directors
3 in 1961?

4 A. Yes, sir.

5 Q. Of your corporation, pilots' corpora-
6 tion?

7 A. Yes, sir.

8 Q. Were there any discussions at the time
9 you were there about large ships coming up the Chicoutimi
10 channel or a large ship coming up the Canuk Trailer at
11 the time?

12 A. There was.

13 Q. Was there any correspondence to your
14 knowledge in that respect?

15 A. There was between the Superintendent
16 of Pilots in Quebec, Regional Superintendent, I believe,
17 in Montreal, and our own people.

18 MR. LALONDE: My lord, correspondence will
19 be filed in Quebec in the first sitting in that respect.

20 Q. I understand in that case the ship
21 came up river and down without a pilot without accident
22 occurring. What are your views in connection with the
23 size of ships which could properly come up the Chicoutimi
24 channel? I heard somebody this morning mention some-
25 thing like 500 foot ship. Would that be possible?

26 A. It might be possible, very unsafe.
27 I will try anything but some people might want to do it,
28 but I would say which, I believe, is National Harbours
29 Board's own regulation for Chicoutimi, ships should not
30 be over 350 feet in length. This would be with safety



1 FRENCH

2 and good seamanship.

3 And everything else you could attempt it and
4 might do it very well, and other times wouldn't. A ship
5 over 350 feet is not the thing to do if a good seaman
6 and feel your responsibilities in view of the channel
7 here. If you had a grounding or for any reason --- the
8 ship might have a power failure and you have to anchor,
9 250 foot wide channel and have a ship like that, she
10 would just twist around and block the channel and might
11 block it for God knows how long afterwards.

12 Q. Why do you say 350 feet is the maximum
13 recommended, or recommendable size?

14 A. That is the width in the curve. And
15 I would say that it is the maximum that you could manage
16 with good seamanship and have a fair chance of not having
17 it ground. I believe this is the National Harbours
18 Board's regulation.

19 Q. For the Harbour of Chicoutimi?

20 A. Might be written.

21 Q. Do you know whether it would be?

22 A. In the Harbours Board's regulations?

23 Q. For the Harbour of Chicoutimi?

24 A. I believe so.

25 THE CHAIRMAN: Have they been filed?

26 MR. JACQUES: In Vancouver.

27 Q. But ships of larger size than 350 feet
28 come up this place and there doesn't seem to be too many
29 accidents? I don't know.

30 A. It just goes to show there must be some



1 -FRANCH:

2 good pilots.

3 Q. And anyway, in the case of the Canuk
4 Trailer, a pilot came aboard, I understand?

5 A. Yes, sir.

6 Q. And if I understand well what happened,
7 there was no refusal by pilots to take a ship up.

8 A. There was not. He helped the master
9 to the best of his knowledge and did quite a good job
10 of it really.

11 MR. LALONDE: Thank you very much.

12 COMMISSIONER SMITH: I would like to ask the
13 witness a question, my lord, arising out of one of the
14 remarks he made in his testimony.

15 Correct me, Captain, if I misunderstood you,
16 but this is the way I understood it: That under certain
17 navigational conditions where you may overtake a ship
18 that has not a pilot you have to exercise extreme caution.
19 Was that your remark?

20 THE WITNESS: At this particular point at the
21 Saguenay, it has been my own personal experience that
22 many of the ships cut the corner there, cut off in a
23 very awkward position at times.

24 COMMISSIONER SMITH: This was a question
25 based on the remark you made in your evidence. Somewhere
26 since this Commission started it has heard and the
27 statement has been made that it gives the pilot a tremen-
28 dous sense of responsibility and of safety if in the
29 navigation of his ship he knows that the ship ahead of
30 him or the ship he is passing has a pilot on board.



1 FRENCH:

2 Would you elaborate on that?

3 THE WITNESS: I think what you have just
4 stated is quite true. I mean, after all, we work to-
5 gether and I think we all try to exercise most caution
6 and good seamanship and keep abreast of all new develop-
7 ments in the river, and we meet one another nearly daily
8 in our work and we sort of get to work the same way at
9 these dangerous places. We know how we are going to do
10 it. I think very few pilots that would cut the corner
11 as we say to save two or three minutes or something like
12 that. I believe it is an added safety device to know
13 that you have a pilot on another ship.

14 COMMISSIONER SMITH: I think the reason this
15 issue was raised was on the suggested inauguration of
16 compulsory pilotage so that every ship, excepting
17 exempted ones, would have a pilot on board in the interests
18 of the safety of navigation. That is, I think, the
19 reason it was raised.

20 THE WITNESS: You have asked me to elaborate
21 a little further. We take, for example, it is not a
22 rule --- Captain Godreau spoke about it this morning --
23 at Red Island where the currents are very strong, we have
24 a gentleman's agreement among ourselves in dirty weather,
25 downbound ships go south of Red Island to leave the north
26 channel vacant for upbound ships. So every ship in
27 dirty weather go the same way to reduce the risk of
28 collision and so on. There are a few that seem to not
29 have come around to the idea, but there are some came
30 to the same idea and it is one point a ship with a pilot



1 would do that. It is added safety and I wish that every-
2 body did it.

11 3 MR. LALONDE: I have referred to correspon-
4 dence which will be filed in Quebec and find it available
5 here, and with your permission, it is not correspondence
6 which the witness has signed himself, but official
7 correspondence between the Corporation of the Lower
8 St. Lawrence Pilots and Pilotage Authority.

9
10 --- Exhibit No. P602: Bundle of letters
11 which includes letters
12 from the Supervisor of
13 Pilots to Captain
14 Gaston Rousseau
15 at Quebec City on the
16 22nd September, 1961.
17 Letter to Superintendent
18 of Pilots by Mr. Menard
19 on the 26th September,
20 1961.
21 Copy of letter by
22 Regional Superintendent
23 of Pilots to Watts and
24 Watts, Montreal,
25 October 3, 1961.

26 And then a bulletin sent by Mr. Menard on
27 behalf of the Corporation of the Lower St. Lawrence Pilots
28 on October the 5th, 1961 to all Quebec pilots, advising
29 them of the situation and recommending them to accept
30 the instructions of the superintendent to go aboard
ships, a Canuk Trailer if sent to it, but ask for a
waiver of responsibility.

MR. JACQUES: What is the prevailing wind at
the entrance of the Saguenay?

THE WITNESS: I would say it depends on the
time of the year. In the summer months, south-westerly



1 FRENCH:

2 prevailing and later in the fall most easterly and north-
3 easterly winds prevailing. And you get any of the other
4 kinds. Usually clearing weather with north or north-
5 west and in winter west and north-westerly and occasion-
6 ally south - south-east.

7 Q. And an easterly wind you said had the
8 most effect on the tide?

9 A. An average tide on reefs and shoals
10 at the mouth of the Saguenay.

11 Q. What is the direction, what is the wind
12 direction when fog set in usually?

13 A. Fog would be mostly associated with
14 no wind or dead calm, or little air or south or south-
15 easterly.

16 Q. Have you had actual experience of
17 magnetic disturbances in the Saguenay River?

18 A. Not to affect the docking of the ship,
19 but have noticed on several occasions on the magnetic
20 compass, I mean, there would be variation up to seven
21 or eight degrees at various places. It might be only
22 for a few minutes or ten or fifteen minutes at various
23 places.

24 Q. You say a variation of seven degrees
25 or forty-four degrees, or whatever it is for a few
26 minutes?

27 A. My own point is that this can't be put
28 down to any set figure at any set place for a set ship.

29 Q. I am asking whether you had experienced
30 disturbances?



1 INTERVIEW:

2 A. Yes.

3 Q. Variations of about seven degrees for
4 a few minutes?

5 A. Yes.

6 Q. How did you measure these variations?

7 A. By heading on certain course and look
8 same true course would be changed and you know a variation
9 is there.

10 Q. Actual change of course would measure
11 this?

12 A. No ship being is the same course.

13 Q. And you checked the compass?

14 A. That is right.

15 Q. How many times?

16 A. If interested in checking have checked
17 as many as seven or eight times in half an hour. If
18 clear weather and checking for my own personal information.

19 Q. Which compass?

20 A. Magnetic compass, steering compass
21 mostly.

22 Q. Checked against what?

23 A. Against the gyro.

24 Q. And you have experienced changes in the
25 heading of the ship?

26 A. Magnetic heading, compass heading of the
27 vessel.

28 Q. Have you ascertained whether there might
29 have been other factors affecting the magnetic compass
30 at that time?



1 ENGLISH

2 A. No visible factors. No moving iron
3 or magnetic material fairly close to the compass. I
4 don't know if starting the generators in the engine
5 room ---

6 Q. The manoeuvre which you describe
7 leaving the wharf in Chicoutimi, is that an unusual
8 manoeuvre?

9 A. From my past experience as a seaman
10 it is. I don't say it is the only place in the world.

11 Q. Why would you want to identify on the
12 radar the light ship?

13 A. To make sure --- there might be quite
14 a few things together, even in the incident of fairly
15 small radius you have a buoy, black buoy and light
16 vessel itself and this building going on at the new pier
17 under construction and might have while working there two
18 or three small boats and the ships going and coming.

19 Q. You use radar?

20 A. You do.

21 Q. In your work?

22 A. Extensively in dirty weather, yes.

23 Q. Is there any physical aspect of the
24 river which would render the use of radar safer here than
25 elsewhere?

26 A. I would say, generally speaking,
27 especially the north channel of the Quebec District, on
28 the St. Lawrence, needs good radar. The south channel
29 might have been used with caution on radar at low water
30



1 DIRECTOR:

2 Q. Is it not a fact the sound carried by
3 fog horns in fog does not carry in the most erratic way?

4 A. Yes, sir. I think I did mention it.

5 Q. I want you to stress that it is very
6 important.

7 A. Have to be very cautious when using any
8 of the sound apparatus either from the shore or your own ship
9 sent signals; the road rules, if you hear something ahead,
10 stop and navigate with caution.

11 Q. You mentioned, I believe, you have
12 yourself experienced cases where you heard a signal and
13 then lost it.

14 A. Yes, sir. With the light vessel we
15 used to have at Red Island, number three, you heard it
16 sometimes quite a few miles away and lose it closer and
17 the next time you are nearly on top of it when you pick
18 it up.

19 Q. Would that apply to ship's siren.

20 A. Yes, but from personal experience you
21 don't seem to lose it any more. You never experience
22 you have lost the sound once you pick it up.

23 Q. Ships' sirens?

24 A. It still can be erratic but no
25 experience of losing it after you pick it up.

26 MR. LALONDE: Thank you.

27
28 ---EXHIBIT NO. 603:

Letter dated October
5, 1961.

29

30



CROSS-EXAMINATION BY MR. BRISSET:

Q. I would like to complete the correspondence that was filed on Monday by my friend, No. 602.

THE CHAIRMAN: As far as your part is concerned, we will give it No. 603.

MR. BRISSET: It consists of correspondence between operators and owners of the ship and the Registry Superintendent of Pilots regarding trip of the Canuk Trailer into Chicoutimi in October, 1961. It starts with a letter dated October 3rd, 1961, regarding the pilot being relieved of all responsibility.

Secondly, a letter dated October 5th to the Registry Superintendent in which the owners were requesting permission to use a pilot which would not be of their own pilot but a pilot experienced in the handling of this particular ship and having knowledge of the Chicoutimi Channel, and following a letter from the Registry Superintendent dated October 12th.

I can furnish the earnings later on but unfortunately I do not have it.

THE CHAIRMAN: We will keep this in lieu of the earnings unless somebody is questioning it.

MR. LALONDE: No objection.

Q. Mr. Dussault, you seem to be familiar with the case of Canuk Trailer that came in October, 1961. I assume that you became familiar with this particular case as you were a member of the Pilots' Committee at the time?



FRANCH:

A. Yes, sir.

Q. Were you aware that the owners suggested that instead of using a tour de role pilot who may not have been familiar with the ship or familiar with Chicoutimi channel the owners suggested that by exception they be permitted to use a pilot familiar with their vessel.

A. I believe there was some general reference to this in the correspondence but no pilot was mentioned by name or category or anything but I believe some mention of it was made that they be generally conversant with ship and channel, but don't recall one specific man named.

Q. I would like to quote from the letter dated October 5th, exhibit 603. It reads this way:

" In view of the special circumstances of this call at Chicoutimi in and out of Chicoutimi."

Does that bring anything back to you?

A. I am sorry, sir. It might have been but I couldn't say fairly if it was brought in. I remember something about one special man but not any recollection of his name.

Q. On a matter of principle would you agree that at times the tour de role regulations should be released to permit in special circumstances a pilot familiar with a vessel or with a special location where a vessel is to go to be used rather than the first pilot on the tour de role?



1 P. 100.

2 A. I don't agree with this, Mr. Brisset,
3 and I think you have just defeated your own purpose by
4 reading the letter and mentioning a name of the man. I
5 stand to be corrected, but I am quite sure he had not
6 been to Chicoutimi for quite some seasons and stand to
7 be corrected on this.

8 Q. But had operated the Canuk Trailer?

9 A. This is one of a ship type. All pilots
10 have operated at least dozens or hundreds of ships of
11 that type. She is not a special type. She is just a
12 wartime built ship and it is the most common type on the
13 sea.

14 Q. Let us skip that. I will give you
15 another instance. Do you think in a case where a pilot
16 was told to take a ship into Lauzon drydock and he asked
17 to be relieved because he had never been there --- would
18 you agree in instances of this kind some elasticity
19 should be exercised in the application of the tour de
20 role in that when a pilot has not been where he is asked
21 to go or not familiar with the handling of a particular
22 ship the ship should be provided with a pilot that can
23 give the service required?

24 A. I think this is putting me between the
25 devil and the deep blue sea.

26 Q. Do you think it is a good idea?

27 A. It makes sense. I don't believe for
28 one instance it might happen that we should disrupt a
29 role which constitutes the good working and smooth
30 working of the pilotage operation. That one instance



1 FRENCH:

2 you mentinned makes sense.

3 MR. LANGLOIS: I wonder if we are getting
4 away from the investigation. We are not on facts now.
5 You are trying to get some admission from the pilots
6 that I don't think the witness is able to give.

7 In the evidence this is a problem that con-
8 cerns the Commission. We have seen a few instances of
9 cases where some pilots would be able to bring such
10 ships, difficult ships, all ships into different condi-
11 tions while others would not be. This is a question
12 we were asked in Saint John, New Brunswick, that a
13 special pilot be chosen for that part of the work. More
14 common in Vancouver, Fraser River, past the railway
15 bridge for bridge aft ships. So we are aware of it.

16 MR. BRISSET: I think I made my point.

17 Q. We come to another point, Captain
18 Dussault. Would you be able to tell me what is now the
19 prevailing practice of pilots going down the St. Lawrence,
20 seaward around the Red Island? Is the north channel
21 used more often than the south?

22 MR. LALONDE: I don't want to interrupt my
23 friend's cross-examination at all. Mr. Dussault is going
24 to be in Montreal again to give a description of the
25 St. Lawrence. If my friend is connecting this with the
26 Saguenay River pperation I have no objection, but if a
27 lot of questions of this, he will be available on the
28 whole navigation of the St. Lawrence, in the District of
29 Quebec. I understood we were to limit ourselves to the
30 Saguenay itself.



1 FRENCH:

2 MR. BRISSET: I won't press that very long.
3 I just want to have this answered.

4 THE WITNESS: Ships employing pilots as
5 Captain Godreau did mention this morning, has no set
6 regulations in clear weather. We would use indifferently
7 the north or south channel. What governs in clear
8 weather is tide and speed of ship --- catching end of
9 ebb tide and I say a majority of pilots use the south
10 going down and west-bound, use north for Red Island,
11 to go back to the Saguenay River.

14 12 Q. You have explained that in landing
13 your ship at the Duncan or Powell Wharf in Port Alfred
14 you would at times use the anchor. Would you explain
15 this procedure? In what circumstances would you use
16 your anchor?

17 A. I would say in most cases where we
18 have to come to either number one Duncan or one Powell
19 right to the bottom of the wharf. We have the vessel
20 drop off shore anchor and do shackle up --- we use it as
21 a break. The minute you dock you stop the engine and
22 this anchor will break the ship up --- maybe steering
23 on dead slow and this will bring you very well into
24 position.

25 Q. Is that done when tugs are used also?

26 A. Yes, sir, also in connection with tugs.
27 If anyone at the wharf and no special adverse conditions
28 you might come in without an anchor. I have done it,
29 but the use of the anchor is very much done in Port Alfred.

30 Q. I am advised, Captain Dussault, that



1 this year there were two very powerful tugs in use at
2 Port Alfred to dock the ships at the Duncan and Powell
3 Wharf. What is the general recommendation of the pilots
4 and yourself with regards to the tugs? Are you satisfied?

5 A. Yes. The two new tugs in Port Alfred
6 put into operation by the Saguenay, are very adequate
7 for large ships especially. My personal view is usually
8 on small vessels and no adverse conditions I don't use
9 the tugs at the request of many skippers, but for larger
10 vessels we do all the time and very adequate and very
11 good so far.

12 Q. Is there any system of signals in
13 order to permit communication between the tugs and the
14 ships in Port Alfred that are recognized and in use?

15 A. We had up to this year a signal using
16 both the mouth whistle and ship's whistle, mouth for
17 forward and ship's for aft --- by mutual arrangement.
18 This year we have gone to another system on the St.
19 Lawrence. To my personal knowledge it has worked out
20 very good. Everybody seems to have moved smoothly into
21 the new signals.

22 Q. These are this year?

23 A. That is right. I have used it lately
24 myself.

25 Q. Is there radio communication between
26 the ship and the tugs?

27 A. Both these new tugs are equipped with
28 radio telephone. And with the ships they are also ---
29 we do use them occasionally when they are sick --- both
30



1 P. 1000:

2 tugs and ships are fitted.

3 Q. Now, one last question ----

4 THE CHAIRMAN: Take your time.

5 Q. Have you ever had occasion to go up
6 or down the Saguenay with a ship equipped with only a
7 magnetic compass?

8 A. I have but I cannot give you the names
9 or dates.

10 Q. Is that a coastal vessel or ocean ship?

11 A. Ocean going ship, I recall a small
12 German vessel of the type we had quite a few before the
13 Seaway, 1,500 tons, small German vessel.

14 Q. Have you had one this year? Are you
15 aware one went up the Saguenay --- a ship with only a
16 magnetic compass this year in the Saguenay?

17 A. No, sir.

18 Q. Am I right in assuming 99 per cent
19 and even more of the ocean ships are coming up here
20 equipped with gyro?

21 A. 99 might be high, but 90 per cent I
22 think. There are still quite a few only with magnetic
23 compasses. The majority of the ships are equipped with
24 gyros.

25 Q. Large vessels particularly?

26 A. Yes.

27 MR. LANGLOIS: Can we postpone my questions
28 until we get to Quebec?

29 THE CHAIRMAN: We have another witness here
30 that has to be heard.



1 10:00

2 MR. JACQUES: I understand tomorrow there is
3 a tour of the Harbour of Port Alfred being organized.
4 We have to leave at what time from here?

5 MR. BRISSET: Ten o'clock.

6 THE CHAIRMAN: Is it necessary, or ten-thirty?

7 MR. BRISSET: Ten-thirty.

8 THE CHAIRMAN: I think that all counsel are
9 from outside and don't have to go to their office before
10 coming to court tomorrow. What about starting tomorrow
11 morning at nine o'clock and hoping we finish before the
12 harbour tour.

13 MR. LALONDE: I have no objection to it
14 going further tonight.

15 THE CHAIRMAN: We should not leave too much
16 for tomorrow morning anyway, otherwise we are obliged to
17 sit in the afternoon.

18 We will postpone discovery of Mr. Dussault
19 and here the other witness.

20

21

22

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OB/SS

ANDRE BOUCHARD, sworn:

DIRECT EXAMINATION BY MR. JACQUES:

Q. Would you state your full name, please?

A. Andre Bouchard.

Q. And your age?

A. 54 years old.

Q. And your occupation?

A. Agency Superintendent.

Q. For whom?

A. Saguenay Terminals, Port Alfred.

Q. How long have you been in that position?

A. For the last twelve years.

Q. Sir, you have heard Pilot Dussault describe briefly your dock facilities in Port Alfred.

Would you agree that his description is accurate?

A. Quite accurate, I should say, but he missed one berth at the wharf when he said we have only four berths. There are five berths, four are in operation and one is being repaired.

Q. How old are these wharves?

A. The new part of Powell wharf was built in 1947, which comprises: Number one, Number two and Number three berths.

Number four berth was done, I believe, four years ago; and this is all steel piling with a top concrete floor and a long transit shed for Number one and Number two berths.

Number four berth has no shed, but is used for



1 FRENCH

2 loading newsprint and aluminum metal.

3 Q. And what about Duncan wharf?

4 A. Duncan wharf is a pulpwood discharging
5 wharf which has two berths, it is 900 to 975 feet long,
6 and we have five unloading towers ---- electric towers
7 which can discharge about 600 tons per hour.

8 Q. Now, sir, I understand that you have a
9 system of signals to signal the incoming ship, what she is
10 to do and where she is to berth; is that correct?

11 A. Yes, that is correct.

12 Q. Would you have a statement showing what
13 signals are used?

14 A. Offhand, just like that, I wouldn't take
15 the chance of giving all the details of all the signals,
16 but seeing that his lordship and the Commission will come
17 tomorrow, we will give you a pamphlet.

18 Q. Yes, we might give the pamphlet a number
19 now, as Exhibit 604. I show you a document; would this
20 be the document to which you refer?

21 A. Exactly, this is the one.

22 Q. Exhibit 604, private berthing signals of
23 Saguenay Terminals Limited as seen from seaward.

24

25 ---EXHIBIT NO. 604: Private berthing signals of
26 Saguenay Terminals Limited as
seen from seaward.

27

28 How long has this signal system been in
29 operation?

30 A. To my recollection, I believe that, for



1 FRENCH

2 sure, since the power wharf has been built, in 1947, we
3 have had these two towers, and there have been a number of
4 changes, and for this signal system is now on the wharf,
5 and it has its own power with the signals on.

6 Q. Have you ever received any complaints
7 from the ships concerning these signals?

8 A. Not to my knowledge, but we did have some
9 suggestions from pilots, at times.

10 Q. Yes?

11 A. And sometimes, they have proved to be
12 quite good, and we put them into effect.

13 Q. Do you have ships coming alongside your
14 berths without pilots?

15 A. We certainly did, but not now.

16 Q. Not now?

17 A. No. The only ones that are coming in
18 without pilots are the small coastal vessels and the
19 lakers.

20 Q. Would you give us an idea of the size of
21 these lakers?

22 A. These lakers are all 300 feet in length,
23 and about the same size for the coasters.

24 Q. Since they are docking at your own
25 private installations, have you ever thought of
26 imposing upon them the obligation to use a pilot?

27 A. No, we never did, because the captains
28 are doing their own pilotage, and they are used to docking
29 their own vessels, and we think they have been doing a
30 good job.



1 FRENCH

2 Q. Now, in the past five years, could you tell
3 us how many accidents there were involving your port
4 facilities --- shipping accidents?

5 A. If you permit, I wouldn't answer this
6 question.

7 MR. BRISSET: Could we be permitted to look at
8 the records and furnish the statement?

9 THE CHAIRMAN: That is all right.

10 THE WITNESS: This is what I had in mind.

11 MR. JACQUES: I certainly don't have any objec-
12 tion, if the document is to be filed later on.

13 Q. Would you, in this document, state: The
14 date of the accident, the name of the ship, whether she had
15 a pilot on board or not, the nature of the damage and a
16 rough estimate of the amount of damage?

17 A. In answer to this question, I will only
18 say that I don't promise to give you all these details
19 until I see my superiors.

20 Q. I am sure your counsel will see your
21 superiors, and your counsel realizes the position of a
22 witness in the witness stand.

23 THE CHAIRMAN: Have you said for how many years?

24 THE WITNESS: The last five years, my lord.

25 Q. Do you maintain any aids to navigation on
26 your docks or berths, I should say?

27 A. We call them: Aids to navigation, but they
28 are not really aids to navigation, because they are not
29 used to navigate with; they are only signals to direct the
30 ships in the right position for docking, coming alongside



1 FRENCH

2 the wharf, and all that, as a green light would be used
3 on the wharf, projecting on the outside so they would see
4 where the wharf is; but they don't comprise anything like
5 buoys or spar buoys, or whatever you like.

6 Q. Do you maintain any buoys?

7 A. No, we don't.

8
9 CROSS-EXAMINATION BY MR. LALONDE:

10
11 Q. Mr. Bouchard, you were asked whether you
12 had ever thought of imposing compulsory pilotage; did you
13 ever impose compulsory tug service?

14 A. I will leave that until tomorrow, please.

15 Q. I may be away tomorrow. I will put it
16 this way: Have you, in the course of the last two years,
17 imposed for a period, compulsory tug service at Port
18 Alfred, at your wharf?

19 MR. BRISSET: The proposition of compulsory
20 tug service was only a temporary matter.

21 THE CHAIRMAN: It is just the fact as to
22 whether it was imposed or not.

23 MR. BRISSET: Notice was given it would be
24 imposed, but the notice was subsequently withdrawn after
25 a matter of days or weeks.

26 It is not compulsory any more.

27 THE CHAIRMAN: Could the witness say that?

28 MR. BRISSET: Yes, sir.

29 THE CHAIRMAN: You have heard Mr. Brisset?
30 Is this the fact?



1 FRENCH

2 THE WITNESS: I will confirm it.

3 Q. I will put the question again: Did your
4 company impose compulsory tug service for a while, either
5 during the course of this year or the last year?

6 A. Well, this year, we tried to make it
7 compulsory, and apparently it did not work.

8 Q. Did you try last year?

9 A. We did not.

10 Q. It was only this year. Was it in effect
11 for a while or not?

12 A. More or less; there was a period of transi-
13 tion between the legal point, and we had to leave it off,
14 and after a while, this whole thing was washed off.

15 Q. Did you ever charge ships for the compulsory
16 pilotage, or would you know if you ever charged compulsory
17 pilotage?

18 A. Pilotage? We always charged pilotage.

19 Q. For compulsory tugs?

20 A. Yes, some ships have.

21 Q. Was the charge, at that time, the compul-
22 sory tug service?

23 A. It was \$150.00 per tug.

24 Q. And were the ships required to take more
25 than one tug?

26 A. They were required to take two tugs if
27 they were 315 or more.

28 Q. 315 feet or more?

29 A. In length, yes.

30 Q. And below that, it was: One tug?



1 FRENCH

2 A. It was not compulsory.

3 Q. So, it was compulsory for two tugs for
4 all ships 315 feet?

5 A. Right.

6 Q. I understand this instruction was with-
7 drawn, and now, do you provide tug service?

8 A. Yes, we do, we still do.

9 Q. And how much is it for a tug?

10 A. \$175.00 per tug.

11 Q. And in practice, any ship over 315 feet
12 generally takes two tugs or one tug?

13 A. Oh, they quite often take them, but it is
14 not compulsory.

15 Q. The rule is: Two tugs?

16 A. The big ships of 10,000 and up will take
17 the two tugs.

18
19 CROSS-EXAMINATION BY MR. MASON:

20
21 Q. Would you give us an idea of how many
22 vessels used your facilities last year?

23 A. Last year, we had 450, approximately.

24 Q. Would this number be on the average the
25 same number of vessels which would have used your facili-
26 ties over the last five years?

27 A. I should say this is the minimum, because
28 since the last three or four years, it has been going on
29 diminishing, but the maximum was in

30



1
2 1955, when we had over 750 ships that called at Port
3 Alfred.

4 Q. Last year, what proportion was the greater
5 of lake vessels or coast-type vessels?

6 A. We have quite a considerable number of
7 lake vessels coming up; but, on the other hand, the sea-
8 going vessels coming into Port Alfred are much bigger than
9 they were ten years ago; the biggest ships then were
10 10,000, they were the Liberty type ships; but we have now
11 ships up to 18,000. So, one ship like this would be like
12 two Liberty ships; so, really, the tonnage is not so much
13 affected.

14 MR. JACQUES: You said: 450 ships. Is that
15 trips in and out, or is that 450 different ships?

16 THE WITNESS: Well, you have to count them ----
17 if you have a ship coming in loaded with bauxite, and the
18 ship leaves loaded with something else, that is shown as
19 two ships.

20 Q. So, it is taken loaded, in or out?

21 A. Yes.

22 MR. BRISSET: According to the traffic this
23 year, what would you expect in traffic this year compared
24 to what you had last year?

25 THE WITNESS: I believe it will be like last
26 year.

27 MR. BRISSET: So, you expect, this year, 450
28 ships?

29 THE WITNESS: We hope so.

30 Q. The figures you are putting there are



1
2 figures only of your own facilities, and I understand the
3 entire shipping figures for Port Alfred would be more
4 substantial?

5 A. Yes, because Consolidated have quite a
6 number of ships bringing in pulpwood, and we could add all
7 these ships together.

8 Q. The figures are only for the second term
9 at Port Alfred?

10 A. Yes.

11 THE CHAIRMAN: You do not know about the other
12 figures?

13 THE WITNESS: We would know through the customs
14 department, I believe.

15 MR. LALONDE: We have produced as an appendix
16 the Shipping Report furnished by D.V.S., and which
17 comprises all the figures for Port Alfred, from 1945 to
18 1961, inclusive.

19 THE CHAIRMAN: It was a point I had marked down
20 for a question myself.

21 Any further questions you wish to ask of Mr.
22 Bouchard?

23 So, we thank you very much, Mr. Bouchard.

24 MR. JACQUES: May it please the Commission,
25 there is one point which remains, that I have not
26 elucidated: Port Alfred --- there is a harbourmaster in
27 Port Alfred, and Port Alfred is not a public harbour.

28 THE CHAIRMAN: Well, you will inquire tonight,
29 and we will adjourn until tomorrow morning at nine o'clock.
30 ---Adjournment.

BINDING SECT.

MAY 2 1972

